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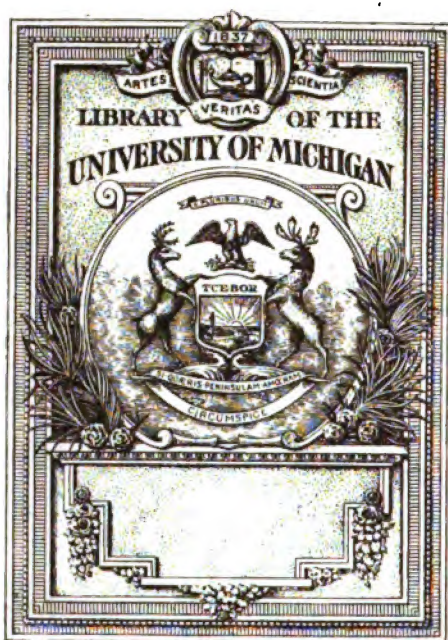
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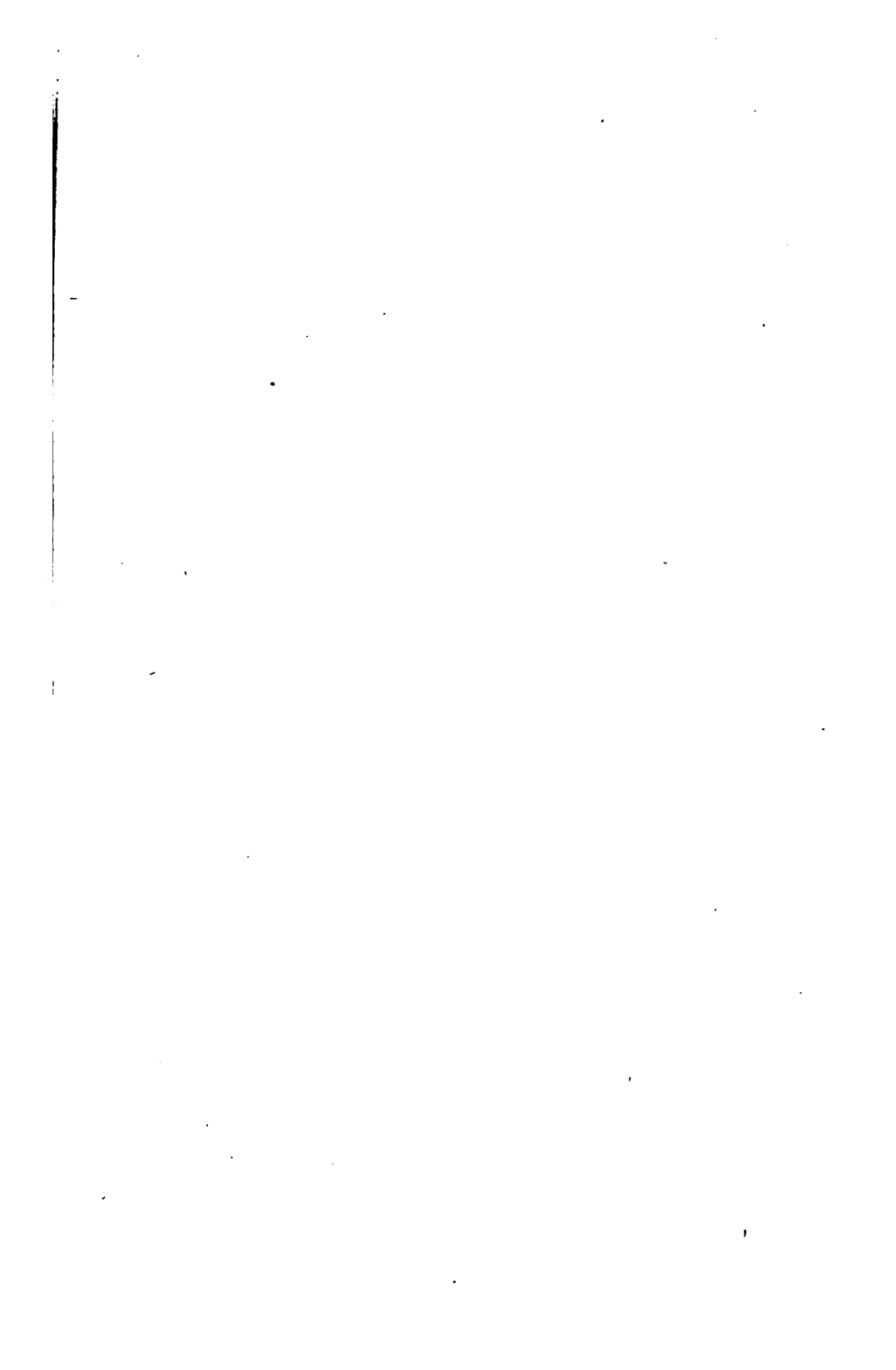
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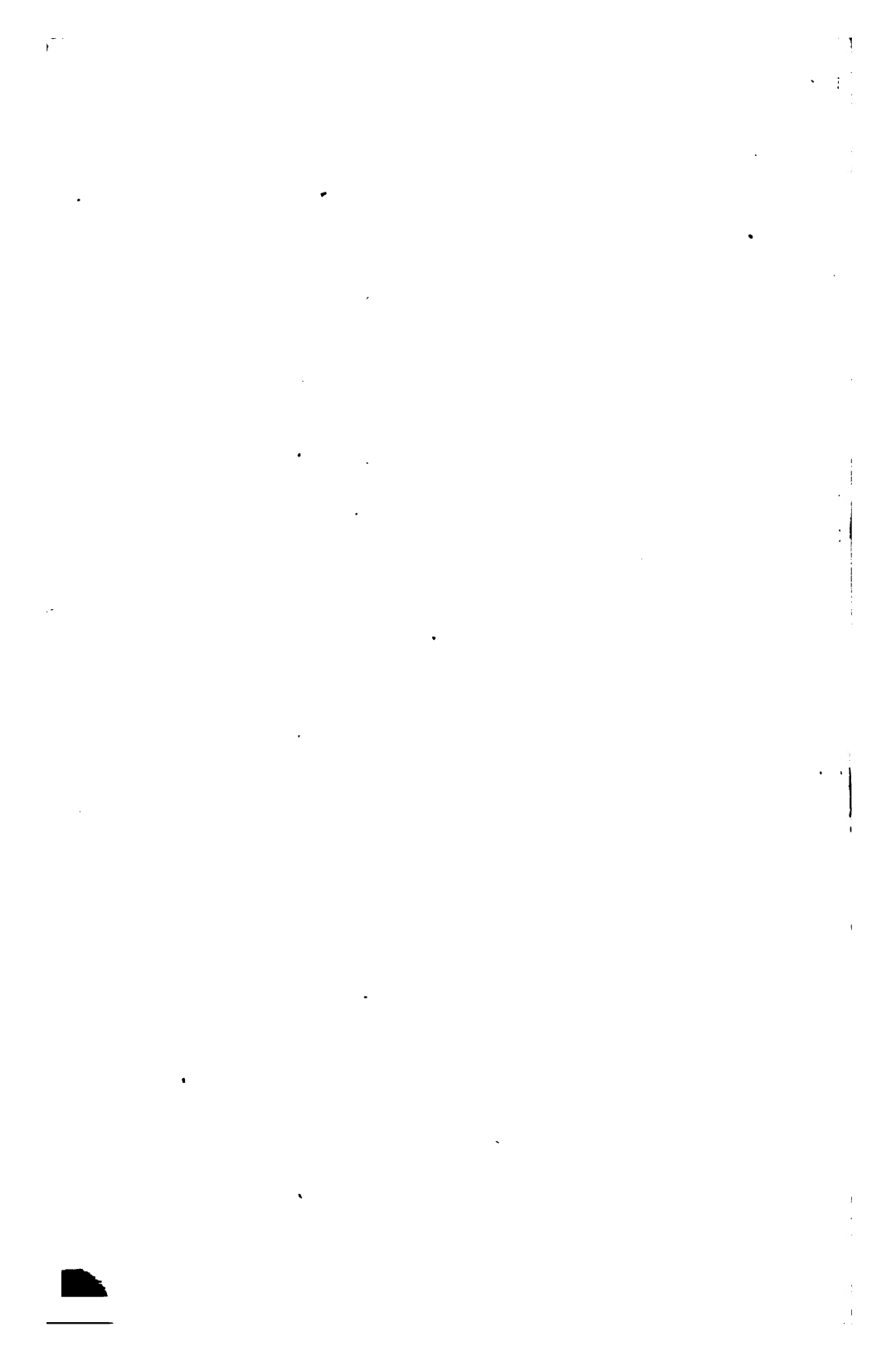


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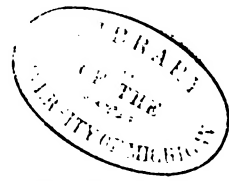
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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF MICHIGAN.

1855.

PRINTED BY VIRTUE OF AN ACT OF THE LEGISLATURE, UNDER THE
SUPERVISION AND DIRECTION OF

HENRY BARNES,
CLERK OF THE HOUSE OF REPRESENTATIVES.



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1855.



HOUSE JOURNAL.

Lansing, Wednesday, January, 3, 1855.

Pursuant to the requirements of the Constitution, the members of the House of Representatives met in their Hall, and were temporarily organized by the appointment of Hon. Robert R. Beecher, of the county of Lenawee, as Speaker *pro tempore*, D. P. Bushnell, of Wayne county, as Clerk *pro tempore*, and William Whitmore, of Ingham county, as Sergeant-at-Arms, *pro tempore*.

The roll of members elect was then called by Counties, when the following members answered to their names:

From the County of

Allegan—Flavius J. Littlejohn.

Barry—George Brown.

Berrien—1st dis., John D. Ross; 2d dis., James B. Sutherland.

Branch—1st dis., James B. Tompkins; 2d dis., Cyrus G. Luca.

Calhoun—1st dis., Daniel Dunakin; 2d dis., Homer C. Hurd; 3d dis., Talman W. Hall.

Cass—1st dis., Franklin Brownell; 2d dist., Uriel Enos.

Chippewa and the Counties thereto attached—Charles W. Chapel.

Clinton and Gratiot—Timothy H. Petit.

Eaton—Chester C. Chatfield.

Genesee—1st. dis., Daniel N. Montague; 2d dis., Abraham Middleworth.

Hillsdale—1st dis., Stillman Ralph; 2d. dis., Ethel Judd; 3d. dis. Gideon G. King.

Houghton and Ontonagon—Abner Sherman.

Ingham—Ferris S. Fitch.

Ionia—Cyrus Lovell.

Jackson—1st dia, John W. Mills; 2d dia, Joseph E. Beebe; 3d dia, James De Puy.

Kalamazoo—1st dia, Henry Montague; 2d dia, George W. Lovell.

Kent—1st dia, Thomas B. Church; 2d dia, Smith Lapham.

Lapeer—Jonathan R. White.

Lenawee—1st dia, Alexander R. Tiffany; 2d dia, Hiram R. Eddy; 3d dia, Robert R. Beecher; 4th dia, James H. Parker.

Livingston—1st dia, Samuel G. Ives; 2d dia, Charles A. Wilbur.

Mackinac—Jacob A. T. Wendell.

Macomb—1st dia, Hiram Hathaway; 2d dia, Philander Ewell; 3d dia, Dexter Mussey.

Midland—Henry C. Ashman.

Monroe—1st dia, Charles T. Gady; 2d dia, George Kirkland.

Montcalm, and the Counties thereto attached—Rueckman Divine.

Moreau, and the Counties thereto attached—James J. Strang.

Oakland—1st dia, Byron G. Stout; 2d dia, Samuel Chamberlin; 3d dia, Asa Reynolds; 4th dia, Morgan L. Smith; 5th dia, Nathan Power.

Oshtemo—Robert W. Duncom.

Saginaw—Jonathan S. Barclay.

Sanilac and Huron—John Divine.

Shiawassee—Andrew Parsona.

St. Clair—1st dia, James W. Sanborn; 2d dia, Zuel Ward.

St. Joseph—1st dia, Charles L. Miller; 2d dia, John Lomison.

Tuscola—Henry P. Atwood.

Washtenaw—Joseph Gilman.

Washtenaw—1st dia, Charles Shier; 2d dia, Donald McIntyre; 3d dia, Ezra Whitmore; 4th dia, Daniel Hixon; 5th dia, Jeremiah D Williams.

Wayne—1st dia, Henry H. Wells, Piny Power, Asa P. Moorman; 2d dia, Francis C. St. Aubin; 3d dia, Charles Noble; 4th dia, William H. Gregory.

On motion of Mr. Gregory,

A committee of three was ordered to be appointed to wait upon the Lieutenant Governor and invite him to administer the oath of office to the members elect.

Messrs. Cyrus Lovell, Church and Stout were appointed said committee.

The committee soon thereafter reported that they had discharged the duty assigned them, and that the Lieutenant Governor was in attendance to administer the oath to the members.

All the members who had answered to their names then subscribed and took the constitutional oath before the Lieutenant Governor, Geo. A. Coe.

On motion of Mr. George W. Lovell,

Resolved, That the Rules of the last House of Representatives be adopted as the Rules of this House, until otherwise ordered.

Mr. Gregory moved that the Clerk of the House cause the members thereof to be furnished each with a copy of the Rules of the last House of Representatives.

Agreed to.

On motion of Mr. Tompkins,

The House then proceeded to the election of a Speaker, with the following result:

FOR CYRUS LOVELL.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashman, | Mr. Judd, | Mr. Pettit, |
| Beebe, | King, | N. Power, |
| Beecher, | Lapham, | P. Power, |
| Brown, | G. W. Lovell, | Ralph, |
| Brownell, | Luce, | Sanborn, |
| Cady, | McIntyre, | Shier, |
| R. K. Divine, | Middleworth, | Smith, |
| Dunakin, | Miller, | Stout, |
| DuPuy, | Mills, | Tiffany, |
| Eddy, | D. N. Montague, | Tompkins, |
| Enos, | H. Montague, | Ward, |
| Gilman, | Moorman, | Wells, |
| Gregory, | Mussey, | White, |
| Hall, | Noble, | Whitmore, |
| Hurd, | Parker, | Williams, |
| Ives, | | |

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FOR THOMAS B. CHURCH.

| | | |
|-------------|-------------|-------------|
| Mr. Atwood, | Mr. Fitz, | Mr. Ross, |
| Barclay, | Hathaway, | St. Aubin, |
| Chamberlin, | Hixon, | Sherman, |
| Chapel, | Littlejohn, | Strong, |
| Chatfield, | Lomison, | Sutherland, |

J. Divine,
Duncan,
Ewell,

Parsons,
Reynolds,

Wendell,
Willbur,

22

FOR ROBERT E. BEECHER.

Mr. Cyrus Lovell,

1

FOR FLAVIUS J. LITTLEJOHN.

Mr. Church,

1

On motion of Mr. Middlesworth,

A committee of three, consisting of Messrs. Middlesworth, Tiffany and Ralph, was appointed by the Speaker *pro tempore*, to wait upon the Speaker elect to the chair.

The Speaker, on assuming the chair, addressed the House as follows:

Gentlemen of the House of Representatives:

I return you my sincere thanks for this manifestation of your personal kindness and official confidence. I feel grateful to you for the compliment, and yet regret that I have been chosen to preside over your deliberations. My regret arises, as I trust, not from my unwillingness to fully share your labors and responsibilities, but from an undesired and undesirable apprehension, that I do not possess those constitutional characteristics and that experience so necessary to enable any one to discharge the duties of Speaker of this House with credit to himself, to your satisfaction, and with usefulness to the State. In the discharge of my duties as your presiding officer, I shall need, and shall hope to receive, your intelligent, honest, kind and cordial co-operation. Past events, the present posture of affairs, constitutional injunctions, the public press and public sentiment, strongly indicate that a large amount of business, of varied character and of great importance, will demand your anxious attention, at your present session; and how short, how very short the time allotted you by the constitution of Michigan for the accomplishment of *all* your prospective labors—too short, I fear, to enable you to realize all the expectations and hopes of your constituents. Let us all hope and act for the best. My desire, my earnest desire, is that your present session may be an active, energetic, industrious and harmonious one, and that your deliberations upon the various and important subjects which shall claim and receive your attention, may invariably result in such enactments as will promote the best material interests, the

intelligence, the virtue, and consequently the happiness of the people of the State.

In conclusion, gentlemen, you will permit me again to say, that in the discharge of my duties, as the presiding officer of this House, I shall rely upon your charity, upon your forgiveness and forgetfulness of my many deficiencies, developed and to be developed, and upon your intelligent, generous, and cordial co-operation.

On motion of Mr. Stout,

The House then proceeded to the election of chief Clerk.

Henry Barns of Wayne county was declared duly elected by the following vote:

FOR HENRY BARNES.

| | | |
|------------|-----------------|---------------|
| Mr. Beebe, | Mr. Lapham, | Mr. N. Power, |
| Beecher, | Lomison, | P. Power, |
| Brown, | G. W. Lovell, | Ralph, |
| Brownell, | Luce, | Sanborn, |
| Cady, | McIntyre, | Shier, |
| Dunakin, | Middlesworth, | Smith, |
| DuPuy, | Miller, | Stout, |
| Eddy, | Mills, | Tiffany, |
| Enos, | D. N. Montague, | Tompkins, |
| Gregory, | H. Montague, | Ward, |
| Hall, | Moorman, | Wells, |
| Hurd, | Mussey, | White, |
| Ives, | Noble, | Whitmore, |
| Judd, | Parker, | Williams, |
| King, | Pettit, | Speaker. 45 |

FOR JOHN N. INGERSOLL.

| | | |
|-------------|-------------|-------------|
| Mr. Atwood, | Mr. Duncan, | Mr. Ross, |
| Ashman, | Ewell, | St. Aubin, |
| Barclay, | Fitch, | Sherman, |
| Chamberlin, | Hathaway, | Strang, |
| Chapel, | Hixon, | Sutherland, |
| Chatfield, | Littlejohn, | Wendell, |
| Church, | Parsons, | Wilbur. |
| J. Divine, | Reynolds, | 23 |

On motion of Mr. Miller,

The House proceeded to elect an Enrolling and Engrossing Clerk.

William A. Hall of Livingston county was duly elected by the following vote:

FOR WILLIAM A. HALL.

| | | |
|-------------|-----------------|-------------|
| Mr. Ashman, | Mr. Judd, | Mr. Pettit, |
| Beebe, | King, | N. Power, |
| Beecher, | Lapham, | P. Power, |
| Brown, | Lomison, | Ralph, |
| Brownell, | G. W. Lovell, | Sanborn, |
| Cady, | Luce, | Shier, |
| R. Divine, | McIntyre, | Smith, |
| Dunakin, | Middlesworth, | Stout, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | Mills, | Tompkins, |
| Enos, | D. N. Montague, | Wells, |
| Gilman, | H. Montague, | White, |
| Gregory, | Moorman, | Whitmore, |
| Hall, | Mussey, | Williams, |
| Hard, | Noble, | Speaker. |
| Ives, | Parker, | |

47

FOR EZRA D. BURR

| | | |
|--------------|----------------|-------------|
| Mr. Atwood, | Mr. Duncanson, | Mr. Ross, |
| Barclay, | Ellwell, | St. Aubin, |
| Chamberlain, | Fitch, | Sherman, |
| Chapel, | Hathaway, | Strang, |
| Chickfield, | Hixon, | Sutherland, |
| Church, | Littlejohn, | Wendell, |
| J. Divine, | Reynolds, | Wilbur. |

21

On the motion of Mr. Luce,

The House proceeded to vote for a Sergeant-at-arms, which resulted in the election of Uzziel Putnam, Jr., of Cass County, by the following vote:

FOR UZZIEL PUTNAM, JR.

| | | |
|-------------|-----------------|---------------|
| Mr. Ashman, | Mr. Lapham, | Mr. P. Power, |
| Beebe, | Lovell, | Ralph, |
| Beecher, | Middlesworth, | Shier, |
| Brown, | Miller, | Stout, |
| Brownell, | Mills, | Tiffany, |
| Cady, | D. N. Montague, | Tompkins, |
| R. Divine, | H. Montague, | Ward, |
| Dunakin, | Moorman, | Wells, |
| Eddy, | Mussey, | White, |
| Enos, | Noble, | Whitmore, |
| Gregory, | Pettit, | Williams, |
| Hall, | N. Power, | Speaker, |
| Judd, | | |

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FOR JAMES A. BEECHER.

Mr. Atwood,
Barclay,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
Duncan,

Mr. Ewell,
Fitch,
Hathaway,
Hixon,
Kirkland,
Littlejohn,
Lomison,
Reynolds,

Mr. Ross,
St. Aubin,
Sherman,
Strang,
Sutherland,
Wendell,
Wilbur,

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On motion of Mr. Wells,

A committee of three was ordered to be appointed to wait upon the Senate and inform that body that the House had organized and were ready to proceed to business.

Messrs. Wells, Church and Sanborn, were appointed said committee, who soon after returned and reported that they had discharged the duty assigned them; when

On motion of Mr. Beecher,

The House adjourned until half past 2, P. M.

Afternoon session.

Half past 2 o'clock, P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum of members present.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, January 3, 1855. }

To the Speaker of the House of Representatives:

Sir—I am instructed to transmit to the House of Representatives the following resolution, adopted by the Senate.

I. W. WILDER,

Secretary of Senate.

Resolved, That a committee of two be appointed on the part of the Senate to act with a like committee on the part of the House, to wait upon the Governor, and also upon the retiring Governor, and to inform them that the two Houses are now organized and ready to receive any communication they may deem proper to make.

I. W. WILDER,

Secretary of Senate.

On motion of Mr. Ralph,

Resolved, That a committee of two be appointed to act with a like committee on the part of the Senate, to wait upon the Governor and ex-Governor, and inform them that the two Houses are organized and are ready to receive any communications they may be pleased to make.

On motion of Mr. Sanborn:

Resolved, That the Speaker be authorized to appoint two Firemen and four Messengers for this House.

A committee was announced from the Senate, consisting of Messrs. Upson and Kenyon, who informed the House that the Senate had organized, and were ready to proceed to business.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, January 3, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the President of the Senate to respectfully inform the House that the Senate have appointed Messrs. Cressy and Jerome to act with the committee appointed by the House to wait on the Governor and retiring Governor, and inform them that the two Houses are organized and ready to receive any communication they may be pleased to make.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

The Speaker appointed Messrs. Ralph and Sanborn a committee on the part of the House, to act with the Senate committee, to wait upon the Governor and retiring Governor, and inform them that the two Houses are organized and ready to receive any communication they may be pleased to make.

On motion of Mr. Miller,

The Speaker administered the oath of office to the Clerk, Enrolling and Engrossing Clerk, and the Sergeant-at-Arms, elect, of the House.

The Speaker announced the following message from the Senate:

Resolved, By the Senate, (the House concurring,) that the joint rules of the Senate and House of Representatives, and the rules in joint Convention of the last Legislature, be and they are hereby adopted as the rules of the present Senate and House of Representatives, until otherwise ordered.

To the Speaker of the House of Representatives:

Sir—I am instructed by the Senate to respectfully inform you that the foregoing resolution has been passed by the Senate, and to ask the concurrence of the House therein.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

On motion of Mr. Stout,

Resolved, That one thousand copies of the Daily Journal be ordered printed, and that the same be equally distributed to the members and officers of this House.

Mr. Ralph, from the joint committee, appointed to wait upon the Governor and retiring Governor, reported that the committee had discharged the duty assigned them, and that the retiring Governor would immediately communicate in writing, and that the Governor would communicate with the two Houses at some future time.

The retiring Governor's message was then announced, and having been read in part by the Clerk, the further reading thereof,

On motion of Mr. Church,

Was dispensed with, and the same ordered laid on the table.

Mr. White gave notice that he would ask leave of the House, at a future day, to introduce a bill to define the northern boundary of the county of Lapeer;

Also—A bill to amend an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad Company.

Mr. McIntyre gave notice that to-morrow, or on some future day, he will make a motion for leave to bring in a bill entitled "an act to enlarge the powers of School District No. 11, in the city and township of Ann Arbor, in the county of Washtenaw."

Mr. Sherman gave notice that he would on some future day introduce,

A bill to organize the township of Greenland, in the county of Ontonagon, and define its boundaries.

A verbal message was delivered to the House, by Mr. J. F. Conover, Private Secretary to the Governor, to the effect that if it should be the pleasure of the two Houses to meet in Joint Committee on to-morrow, the Governor would then communicate to them in person.

Mr. Pliny Power gave notice that he should, at some future day ask leave to introduce a bill to prevent the manufacture and sale of intoxicating drink.

Mr. Sherman gave notice that he would, at some future day, introduce a bill to amend the Minnesota Mining Charter, and also an act supplementary thereto.

On motion of Mr. Beecher,

Resolved, That, the Senate concurring, the two Houses meet in joint Convention to-morrow at 2 o'clock, to receive the message of the Governor.

Mr. Sherman gave notice that he would, at some future day, introduce a bill supplementary to the act to organize Mining, Manufacturing and other Companies.

Mr. Strang gave notice that at some future day he would ask leave to introduce,

A bill to organize the county of Manistee; also,

A bill to organize the county of Alpena; also,

A bill to create an additional judicial circuit.

Mr. White moved that the House adjourn until 2 o'clock to-morrow,
Lost.

On motion of Mr. Church,

Resolved, That when this House adjourn, it do adjourn to the hour of quarter before 2 P. M., to-morrow.

Mr. Sherman gave notice that he would on some future day ask leave to introduce,

A bill to define the limits of the township of Algonquin and for other purposes.

Mr. Hall gave notice that at some future day he should ask leave to introduce a bill to define the manner in which the Homestead may be selected and designated.

Mr. Mills gave notice that at some future day he would ask leave to bring in a bill to amend an act incorporating the Leoni Theological Institute.

Mr. Strang gave notice that on some future day he would ask leave to introduce a bill to provide for the construction of a road from Bay du Noc to Marquette, in the Upper Peninsula.

On motion of Mr. Ralph,
The House adjourned.

Lansing, Thursday, January 4, 1855.

House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and a quorum found present.

Absent, Messrs. Chamberlin, Chapel, Edwards, Ewell, Hall, Middleworth, Reynolds, Ross, Smith, Sutherland, Tracy, Ward and Wilbur.

On motion of Mr. Church,

The reading of the journal was dispensed with.

The Speaker announced the appointment of Jonathan Sprague and Wm. J. Netteeth as Firemen, and Solon A. Whitcomb, D. L. Fisher, Frederick S. Church and John Staunton, as Messengers of the House.

With the unanimous consent of the House, the following communication from the Senate was read:

SENATE CHAMBER,
Lansing, January 3, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to respectfully inform the House that the following resolution was adopted by the Senate, and respectfully ask the concurrence of the House therein.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

Resolved, (the House of Representatives concurring) That the Senate will meet the House of Representatives in joint convention on tomorrow, at 11 o'clock A. M., in the Hall of the House, to receive any communication from the Governor.

On motion of Mr. Church,

Laid on the table.

Mr. Church by unanimous consent, offered the following resolution:

Resolved, (the Senate concurring,) that the Committee on Printing be instructed to prepare and cause to be published, with all practicable despatch, for the use of the two Houses of this and the next Legislature, a Manual, containing the Rules of each House, the Joint Rules of the same,

and the Rules of the said Houses in Joint Convention, with an index thereof; the Revised Constitution of this State, with an index thereof; the Census of this State for the years 1845, 1850, and 1854, by Townships and Counties, in alphabetical order; a table of the names, residence, post-office address, boarding house, &c., of each member of the Legislature; a list of the Senators by Districts, and of the Representatives by Counties and the Districts thereof; a table of the Standing Committees of each House and a Calendar of the present year.

Laid over under the rules.

The following message was received from the Senate:

SENATE CHAMBER,
Lansing, January 4, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate, to return to the House, the concurrent resolution, relative to the meeting of the two Houses in joint convention, and to respectfully inform you that the Senate have concurred therein.

Very respectfully,

L. W. WILDER,

Secretary of Senate.

Mr. Wells moved the appointment of a committee of two to inform the Senate that the House are now ready to receive that body in joint Convention.

Agreed to.

The Speaker appointed Messrs. Wells and Fitch said committee.

The committee after a brief absence returned and reported through their chairman, Mr. Wells, that the Senate would meet this body forthwith.

The Senate was announced, and took seats in joint convention, the President of the Senate in the chair.

The roll of the Senate was called by the Secretary, and that of the House by the Clerk, and a quorum of both branches answered to their names.

Mr. Wilson, of the Senate, offered the following resolution:

Resolved, That a committee of four be appointed to wait upon the Governor and inform him that the Senate and House of Representa-

tives are now assembled in joint convention, and are now ready to receive any communication that he may deem proper to make.

Adopted.

The President of the Convention then appointed Messrs. Wilson and Bush, of the Senate, and Messrs. Wells and Sherman, of the House, the committee under the resolution.

The committee having performed the duty assigned them, so reported through their chairman, and the presence of the Governor was announced, who read his message in person to the joint convention.

The joint convention then adjourned: whereupon,

The House adjourned to meet to-morrow at 10 o'clock, A. M.

Lansing, January 5, 1855.

House met pursuant to adjournment.

Roll called, and a quorum found present.

Leave of absence was granted to Messrs. Ralph and Lovell.

On motion of Mr. Church,

The reading of the journal was dispensed with.

The Speaker presented the petition of P. F. Donaldson and 4 others, members of the Methodist Episcopal Church, requesting the privilege of occupying the Representative Hall for religious services, during the after part of each Sabbath, the ensuing session.

Which was read, and

On motion of Mr. White,

Laid on the table.

Mr. Wells presented the petition of Hiram Benedict and 35 others, asking for amendment of an act entitled "an act to authorize the formation of corporations for mining and smelting, and for other purposes, approved February 5, 1853."

Which was read and laid on the table.

Mr. Beecher moved that the order of business be suspended.

Lost.

Mr. McIntyre moved that the order of business be suspended for the purpose of permitting the Speaker to announce the standing committees of the House.

Carried.

The Speaker thereupon announced the following standing committees:

Ways and Means—Messrs. Beecher, Wells, Ralph, Hall, Chapel.

State Affairs—Messrs. Littlejohn, Smith, Lovell, Hixon, J. Divine.

Judiciary—Messrs. Tiffany, McIntyre, Wells, Parsons, Church.

Internal Improvements—Messrs. Beebe, Ross, Tompkins, Ives, & Aubin.

Harbors—Messrs. Gregory, Brownell, Miller, Duncan, Atwood.

Elections—Messrs. Moorman, Middlesworth, Luce, Fitch, Sutherland.

Federal Relations—Messrs. P. Power, Gillman, Whitmore, Chapel, Reynolds.

Banks and Incorporations—Messrs. McIntyre, Beebe, Sanborn, Littlejohn, Strang.

Public Lands—Messrs. Sanborn, Eddy, DePuy, Hurd, Hathaway.

Printing—Messrs. Enos, Stout, Fitch.

Agriculture and Manufactures—Messrs. N. Power, Wells, Lapham, Ward, Brown.

Towns and Counties—Messrs. White, Dunakin, Pettit, Ewell, Wendell.

Education—Messrs. McIntyre, Beebe, Stout, Parsons, Mussey.

Rules and Joint Rules—Messrs. Cady, Church, Barclay, Williams, Noble.

Engrossment and Enrollment—Messrs. Stout, Mussey, Beecher, White, Parker.

Militia—Messrs. Edwards, Wilbur, Kirkland.

Supplies and Expenditures—Messrs. Beecher, Moorman, Church.

State Prison—Messrs. Mills, Shier, Chatfield.

Roads and Bridges—Messrs. R. K. Divine, King, Chamberlin.

State Library—Messrs. Hall, Lovell, Lomison.

Indian Affairs—Messrs. Strang, D. N. Montague, Astman.

Mines and Minerals—Messrs. Sherman, H. Montague, Judd.

On motion of Mr. Littlejohn,

The order of business was taken from the table.

Mr. Littlejohn presented the following petition of John R. Kellogg and 23 others, citizens of Allegan:

To the Hon. the Senate and House of Representatives of the State of Michigan:

The undersigned, your memorialists and petitioners, inhabitants of the State of Michigan, respectfully request the attention of your honorable body to the fact that no provision is made by the State for the education of young women beyond the Primary Schools, unless they wish to become teachers; and they pray that a fund be set apart from the proceeds of the sales of Swamp Lands, and an institution be established under the fostering care of the State, which shall give to its daughters equal opportunities for acquiring a liberal education, which are now so nobly and freely offered to its sons by the University.

Read and referred to committee on Education.

Mr. N. Power presented the following petition of C. W. Green and 42 others, inhabitants of Oakland:

To the Honorable, the Legislature of the State of Michigan:

The inhabitants of Oakland County, represent, that

Whereas, It is admitted by all, that Agriculture, in connection with Domestic Manufactures and the Mechanic Arts, constitutes the basis upon which rests the prosperity and stability of the whole business community; And *Whereas*, It is evident to all enlightened minds, that these all important branches of human industry, can in no way be so well "encouraged and promoted" as by a uniform and general system of Agricultural education, commensurate to the wants of those who till the soil, and create by their industry and labor, material for the supply of human want; And, *Whereas*, by a wise provision of the Constitution of the State, (Act 13, Sec. 11,) it is made the duty of the legislative body "to encourage the promotion of *intellectual, scientific and agricultural improvement*," and has further made it imperative upon the Legislature, "as soon as practicable," to "provide for the establishment of an Agricultural School," setting apart funds for the permanent endowment and support of the same; and, believing as we do, that the time has now arrived wherein it is practicable for the Legislature to carry into effect the above wise designs of the Constitution—the State being in possession of ample funds and resources for such a purpose—do request that your Honorable body, will, without unnecessary delay,

make suitable appropriations by law, for the purchase of a tract of land, sufficient, and suitable for an experimental farm; and for the erection of suitable buildings thereon for an Agricultural School, placing it upon a basis of its own, separate from any other institution of learning; and for the endowment of the same in such manner as shall place it upon an equality with the best Colleges of the State. And your memorialists will ever pray.

Read and referred to the committee on Agriculture and Manufactures.

Mr. Ward presented three petitions, of inhabitants of Clay, Ira and Cottrellville, in the county of St. Clair, asking alteration of boundaries.

Referred to the committee on Towns and Counties.

By Mr. Littlejohn: Petition of inhabitants of the county of Allegan for the establishment of a State Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. Shier: petition of sundry inhabitants of the county of Wahtenaw, for the establishment and endowment of a State institution of learning for females.

Referred to the committee on Education.

By Mr. Stout: petition of W. T. Snow, and 40 others, asking an appropriation of funds, arising from sale of Swamp Lands, for the establishment of an institution for the education of females.

Referred to the committee on Education.

The Speaker announced a communication from the Auditor General, transmitting the accounts of the Agent of the State Prison, which was,

On motion of Mr. Church,

Laid on the table and ordered printed.

Mr. Fitch gave notice that on some future day he should ask leave to introduce

A bill to establish an Agricultural School, and for other purposes.

Mr. Strang gave notice that at some future day, he would ask leave to introduce

A bill to organize the county of Iosco; also,

A bill to organize the county of Delta; also,

A bill to enlarge the county of Grand Traverse; also,

A bill to authorize the holding of a special election in Cheboygan; also,

A bill to change the name of the township of Antrim, in Grand Traverse county.

Mr. Littlejohn gave notice that he would at some future time ask leave to introduce,

A bill to provide for the appointment of Circuit Court Commissioners in certain cases.

Mr. Wells gave notice that on to-morrow he will ask leave to introduce,

A bill to amend an act entitled "an act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper or silver ores," approved Feb. 5, 1853; also,

A bill for the appointment of an additional Circuit Court Commissioner for the county of Wayne; also,

A bill to amend Sections 18 and 15 of an act entitled "an act relative to Free Schools in the city of Detroit," approved Feb. 17, 1842; also, that on to-morrow he will ask leave to introduce,

A bill to provide for the collection of taxes in the township of Buena Vista, in the county of Saginaw, for the year 1854, and to extend the time for the collection thereof.

Mr. McIntyre asked leave to introduce,

A bill entitled an act to enlarge the powers of School District No. 11, in the city and township of Ann Arbor, in the county of Washtenaw.

On motion of Mr. Church,

Leave was granted.

The same was read a first and second time, and referred to the committee on Education.

Mr. Strang asked leave to introduce,

A bill creating an additional judicial circuit.

Leave was granted.

The bill was then read a first and second time, and referred to the committee on the Judiciary.

Mr. Strang asked and obtained leave to introduce,

A bill to organize the county of Manistee.

Which was read a first and second time, and referred to the committee on Towns and Counties.

Mr. Strang asked and obtained leave to introduce,

A bill to organize the county of Alpena.

Which was read a first and second time, and referred to the committee on Towns and Counties.

Mr. Enos introduced the following resolution:

Resolved, That there be a committee of two appointed by the Speaker, to invite the resident clergymen, or others who may be present, to open the morning sessions with prayer.

Adopted.

Mr. P. Power, in pursuance of previous notice, asked and obtained leave to introduce,

A bill to prevent the manufacture and sale of intoxicating drinks.

Which was read a first and second time, and

On motion of Mr. Power,

Was referred to a Select Committee of Five.

The Speaker appointed the following Select Committee, on the bill to prevent the manufacture and sale of intoxicating drinks:

Pitzy Power, William H. Gregory, Donald McIntyre, Hiram Hathaway, Nathan Power.

Mr. Sherman gave notice that he would, on some future day, ask leave to introduce,

A bill to confer certain powers on the Supervisors of Ontonagon county.

Mr. Sherman, pursuant to notice, introduced

A bill entitled an act supplementary to an act, to organize companies for mining, manufacturing, and for other purposes.

Which was read a first and second time, and referred to the Committee on Mines and Minerals.

On motion of Mr. Beecher,

Resolved, That the daily sessions of the House commence at 9 o'clock A. M., and 2 o'clock P. M., until otherwise ordered.

Mr. Moorman gave notice that on some future day he would ask leave to introduce, a bill amending chapter 126 of the Revised Statutes of 1846, relative to liens of mechanics and others.

On motion of Mr. Beecher,

Resolved, That the Secretary of State be directed to furnish each member, for use during the session, a copy of the Revised Statutes of

1846, '47, '48, '49, '50, '51, and '53, and a copy of the journals and documents of the last session of the Legislature.

Mr. Miller introduced the following resolution :

Resolved, That two thousand copies of the Governor's message be printed for the use of this House, fifteen hundred copies in English, and five hundred copies in the German language.

Mr. Wells offered the following as a substitute therefor :

Resolved, That five thousand copies of the Executive Message and the Message of the Ex-Governor, be printed for the use of the House—five hundred of which shall be in the French, five hundred in the German, and five hundred in the Dutch language, and that the Committee on Printing be directed to employ competent persons to translate and print the said copies in German, French, and Holland Dutch.

Mr. Sherman moved to amend the substitute by adding, after the word "English," "five hundred copies in the Chippewa language."

Mr. Gregory moved to amend by inserting "200" wherever "500" occurs in the substitute.

Which motion was lost.

The question recurring on Mr. Sherman's amendment, it was adopted.

The substitute of Mr. Wells, as amended, was then adopted.

On motion of Mr. Beecher,

Resolved, That the Committee on Supplies and Expenditures, be authorized to furnish the Speaker, Clerk, Enrolling Clerk, and the Chairmen of Standing and Select Committees, with such amounts of stationery as may be necessary for their use.

Mr. Beecher gave notice that on some future day he would ask leave to introduce,

A joint resolution instructing our Senators and Representatives on the subject of Slavery.

Mr. J. Divine gave notice that on some future day he would ask leave to introduce,

A bill to organize the township of Forrest in the county of Sanilac; also,

A bill to designate the personal property which shall be exempt from sale on execution or other final process.

Mr. Aahman gave notice that at some future day he would ask leave to introduce,

A bill to organize the county of Gratiot; also,

A bill to amend an act entitled "an act to incorporate the Flint and Saginaw Navigation Company," and all acts amendatory thereto; also

A bill to extend the time for the collection of taxes in the township of Buena Vista, in the County of Saginaw.

Mr. Samborn gave notice that he would on some future day ask leave to introduce,

A bill to amend the tax laws authorizing the assessment and collection of taxes, approved February, 1853.

Mr. Church moved that the resolution relative to a Legislative Manual be taken from the table, as follows:

Resolved, (the Senate concurring,) that the Committee on Printing be instructed to prepare and cause to be published, with all practicable dispatch, for the use of the two Houses of this and the next Legislature, a Manual, containing the Rules of each House, the Joint Rules of the same, and the Rules of the said Houses in Joint Convention, with an index thereof; the Revised Constitution of this State, with an index thereof; the Census of this State for the years 1845, 1850, and 1854, by Townships and Counties, in alphabetical order; a table of the names, residence, post-office address, boarding house, &c., of each member of the Legislature; a list of the Senators by Districts, and of the Representatives by Counties and the Districts thereof; a table of the Standing Committees of each House and a Calendar of the present year.

Mr. Strang moved to amend the resolution by adding the following words at the end; "and also a diagram of the two Houses."

Amendment accepted.

Resolution as amended referred to the committee on Printing.

Mr. Sherman, pursuant to notice, asked leave to introduce,

A bill to organize the township of Greenland, to define the boundaries thereof, and for other purposes.

The bill was read a first and second time and referred to the committee on Towns and Counties.

Mr. Parsons moved to reconsider the resolution on stationery; which was lost by the following vote:

YEAS.

| | | | |
|---|--|--|----|
| Mr. Barclay, Chapel, Chatfield, Dunakin, Gregory, | Mr. Hall, Hathaway, Hixon, Littlejohn, Mussey, | Mr. Parsons, Rosa, Sherman, Sutherland, Wendell, | 15 |
|---|--|--|----|

NAYS.

| | | | |
|--|--|---|----|
| Mr. Atwood, Ashman, Beebe, Beecher, Brown, Brownell, Cady, Chamberlin, Church, J. Divine, R. Divine, Duncan, DuPuy, Eddy, Enos, Ewell, Fitch, Gilman, | Mr. Hurd, Judd, King, Kirkland, Lapham, Lomison, Luce, Middlesworth, McIntyre, Miller, Mills, D. N. Montague, H. Montague, Moorman, Noble, Parker, Pettit, | Mr. N. Power, P. Power, Reynolds, Sanborn, St. Aubin, Shier, Smith, Straug, Tiffany, Tompkins, Ward, Wells, White, Whitmore, Wilbur, Williams, Speaker, | 52 |
|--|--|---|----|

Mr. White moved that the House adjourn till to-morrow at 9 o'clock.

Lost.

On motion of Mr. Parsons,
The House adjourned.

AFTERNOON SESSION.

2 o'clock, P. M.

Roll called; a quorum present.

Mr. Church presented the following resolution :

Resolved, That the Governor be requested to communicate forthwith to this House what action has been had in the Executive Department of this State, under the act entitled "an act to provide for the completion of the Canal and Locks around the Rapids of Grand River, at Grand Rapids," approved April 7, 1851; and in especial, whether any Commissioner was appointed and approved under said act; whether such Commissioner, if appointed, has reported his proceedings under said ap-

pointment to the said Executive Department, and if so, transmit to this House a copy of said report for its use.

Which, on motion of Mr. Beecher,

Was laid on the table for one day.

Mr. Montague gave notice that on some future day he would ask leave to introduce,

A bill to provide for costs in criminal cases; also,

A bill to amend the garnishee law; also,

A bill adding a new section to the garnishee law, giving jurisdiction to Circuit Courts; also,

A bill to provide for jury trials in chancery; also,

A bill to amend the dog law.

Mr. Strang asked and obtained leave to introduce the following joint resolution:

JOINT RESOLUTION for the distribution of Maps.

Whereas, The Legislature did, by act passed March 28, 1840, provide and appropriate a sum of money, for publishing at the expense of the State, maps of the State and of the several counties therein, in pursuance of which, a few maps of counties were made, which now remain on hand, valueless to the State, and an incumbrance to the State Library; therefore,

Resolved, (the Senate concurring,) That the State Librarian be authorized to distribute said maps among the several cities, counties, townships and villages, libraries and institutions of learning, in the State, in such manner as he shall think proper.

Which was read a first and second time, and laid on the table one day.

Mr. Stout gave notice that on some future day he would ask leave to introduce, a bill to amend Act No. 26, entitled, "an act for the encouragement of agriculture, manufacturers, and the mechanic arts, approved March 16, 1849.

Mr. DePay gave notice that to-morrow he would ask leave to introduce,

A bill to amend section 16, chapter 91, title 21 of the Revised Statutes of 1846.

On motion of Mr. Strang.

The House adjourned.

Lansing, January 6, 1855.

House met at 9 o'clock.

Roll called; a quorum present.

On motion of Mr. Beecher,

The reading of the journal was dispensed with.

PETITIONS.

By Mr. Ewell: a petition in relation to high schools.

Referred to the committee on Education.

By Mr. Mills: a petition of 32 citizens of the township of Grass Lake, in Jackson county, for the establishment of a State Institution for the education of females.

Referred to the committee on Education.

By Mr. Hixon: a petition of Susan C. Blanchard and 22 other ladies; also of Enos Woodworth and 20 other gentlemen, that provision be made by the State for the education of its daughters, equal to that now enjoyed by its sons.

Referred to the committee on Education.

By Mr. Church: a petition of Sullivan Armstrong, asking for an act to authorize the issue of new certificates for certain parcels of Primary School lands.

Referred to the committee on Public Lands.

Also, petition of James D. Turk, asking for an act authorizing the sale to him of the south half of the north-east quarter of section 27, in township 10 north, of range 9 west, State Internal Improvement land.

Referred to the committee on Public Lands.

By Mr. Smith: a petition for the education of females.

Referred to the committee on Education.

Mr. Sherman wished a correction of the journal. He did not vote for Uzziel Putnam, for Sergeant-at-Arms, but for Daniel A. Rhodes.

The journal was ordered corrected accordingly.

The Speaker announced the following communication from the Adjutant and Quarter Master General of the State:

ADJ. AND QUAR. MASTER GENERAL'S OFFICE, }
Detroit, January 3d, 1855.

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—I have the honor herewith to transmit my report of the condition and administration of the Adjutant and Quarter Master General's

department, confided to my care, since the last meeting of the Honorable the Legislature, and to remain,

Very respectfully,

Your obt^t servant,

J. E. SCHWARZ,

Adj. and Quar. Mas'r Gen'l.

Laid on the table.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, Jan. 5, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to inform the House of Representatives that the Senate have adopted the accompanying resolution, and to respectfully ask the concurrence of the House therein.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The following resolution was received from the Senate, in which the concurrence of the House was asked:

Resolved, (the House concurring,) that the State Printer be instructed to transmit one copy of the daily journal of the proceedings of the Legislature, to the publisher of each newspaper in the State during this session.

Motion prevailed.

Mr. White moved to re-consider the vote, concurring in the Senate resolution.

After some discussion, motion to re-consider prevailed.

The resolution was then,

On motion of Mr. Beecher,

Laid on the table.

The Speaker announced the following communication, from the Auditor General:

AUDITOR GENERAL'S OFFICE, }
Lansing, Mich., Jan. 4, 1855. }

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—I have the honor herewith to transmit the Annual Report

from this Office, as prepared by my predecessor, for the use of the Legislature.

Very respectfully,

Your obedient servant,

WHITNEY JONES,

Auditor General.

Laid on the table.

Mr. White, in pursuance of previous notice, asked and obtained leave to introduce,

A bill to define the northern boundary of the county of Lapeer.

Read a first and second time, and referred to Committee on Towns and Counties.

Mr. White, in pursuance of previous notice, asked and obtained leave to introduce,

A bill to amend an act entitled "an act to incorporate the Port Huron and Lake Michigan Railroad Company."

Read a first and second time, and referred to committee on Banks and Incorporations.

Mr. Littlejohn asked and obtained leave to introduce,

A bill to provide for the appointment of Circuit Court Commissioners in certain cases.

Read a first and second time, and referred to the committee on Judiciary.

Mr. Strang offered the following resolution:

Resolved, That the Judiciary committee be instructed to inquire whether the following entitled acts, purporting to have been passed at the regular session of the Legislature in 1851, and published in the printed volume of statutes as laws, were passed by that Legislature, and are the laws of the land; and that they report by bill or otherwise as they judge proper, to-wit:

128. An act to amend sections 68 and 74 of an act to consolidate the laws in relation to county courts, approved April 2, 1849, and to provide for the removal of causes from said county courts to the Circuit Courts.

138. An act to amend chapter 12 of the revised statutes of 1846.

106. An act to provide for a State Board of Equalization.

148. An act to provide for the completion of the canal and locks around the rapids of Grand river, at Grand Rapids.

144. An act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper or silver ores.

145. An act to amend sections 1, 3, 4, 6, 13, 17 and 19 of an act entitled an act to incorporate the Saut Ste Marie Canal Company.

147. An act to amend the charter of the village of Niles.

148. An act granting to Alexander H. Bartley and his associates, the right to keep and maintain a ferry across the St. Clair River, at the village of St. Clair.

149. An act to amend section 1 of chapter 93, of the revised statutes of 1846, conferring jurisdiction upon justices of the peace.

151. An act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846.

152. An act to amend sections 1, 2 and 3, of chapter 95 of the revised statutes of 1846.

153. An act relating to the State Library.

154. An act to provide for publishing the reports of the State Officers for the year 1852, and every second year thereafter.

155. An act to provide for the formation of companies to construct plank roads.

156. An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers.

157. An act to define the limits, jurisdiction and powers of Circuit Courts. The resolution was adopted.

Mr. Beecher introduced the following resolution:

Resolved, 1st. That so much of the Governor's, and late Governor's Message as relates to finance and public debt, be referred to the Committee on Ways and Means.

2d. That so much as relates to education and public schools, be referred to the Committee on Education.

3d. That so much as relates to the subject of Banks and Incorporations be referred to the committee on Banks and Incorporations.

4th. That so much as so relates to statistical information, immigration into the State, the sale of ardent spirits, the house of refuge for boys and youths, and to the Saut Ste Marie canal, be referred to the Committee on State Affairs.

5th. That so much as relates to swamp lands, and the lands set apart for educational purposes, or held by the State for any other purposes, be referred to the committee on Public Lands.

6th. That so much as relates to the State prison, be referred to the committee on State Prison

7th. That so much as relates to the subject of agriculture and the establishment of an agricultural school, be referred to the Committee on Agriculture and Manufactures.

8th. That so much of the Governor's Message as relates to the subject of slavery, and the homestead law be referred to the Committee on Federal Relations.

9th. That so much as relates to internal improvement be referred to the Committee on Internal Improvement.

Mr. Fitch moved to amend, and refer so much of the Message as relates to the Saut Ste. Marie canal, to the Committee on Internal Improvements.

After some discussion the motion to amend was lost.

Mr. Littlejohn asked for a division of the question, in which the House concurred.

Divisions one, two, and three, adopted.

Mr. Gregory moved to amend division four, and refer so much as relates to the subject of ardent spirits, to the Special Committee to whom was referred,

A bill to prevent the manufacture and sale of intoxicating drinks.

Which motion prevailed.

Divisions five, six, seven, and eight adopted.

Mr. White moved to amend, and refer so much of the messages of the Governor and retiring Governor as relate to the Port Huron and Lake Michigan railroad company, to the committee on Banks and Incorporations,

Which motion prevailed.

Division nine was then adopted.

The resolution, as amended, was then adopted.

Mr. Whitmore offered the following resolution:

Resolved, That the chair appoint a committee of three members upon the Asylum for the Insane, Deaf and Dumb, and Blind.

Which was adopted.

The Speaker appointed, in pursuance thereof, Messrs. Beecher, N. Power and Whitmore, said committee.

Mr. Middlesworth gave notice that on some future day he would ask leave to introduce,

A bill to make a provision by which all errors and deficiencies in documents and instruments of record shall be made right, and corrected in a summary way; also,

A bill to raise the commutation on highway labor, to alter the time of making the highway assessments and warrants, and the time of doing the work on highways.

Mr. Wendell gave notice that he would, at some future day, introduce a joint resolution instructing our members in Congress relative to the United States Military Reservations of land on the Islands of Mackinac and Bois Blanc, in the county of Michilimackinac.

Mr. DePuy asked and obtained leave to introduce "a bill to amend section sixteen, chapter ninety-one, title twenty-one of the revised statutes of 1846."

Read a first and second time, and referred to the committee on the Judiciary.

Mr. Wells, pursuant to previous notice, asked and obtained leave to introduce a bill entitled "an act to amend sections thirteen and fifteen of an act entitled 'an act relative to free schools in the city of Detroit.'"

Read a first and second time, and referred to the committee on Education.

Mr. Wells, pursuant to previous notice, asked and obtained leave to introduce a bill entitled "an act to provide for the appointment of an additional Circuit Court Commissioner for the county of Wayne."

Read a first and second time, and referred to the committee on the Judiciary.

Mr. Bascher asked and obtained leave to introduce a bill for the payment of the members and officers of the Legislature.

Read a first and second time, and referred to the committee on Ways and Means.

Mr. Hall asked and obtained leave to introduce a bill to define the manner in which the homestead may be selected and designated.

Read a first and second time, and referred to the committee on the Judiciary.

Mr. Sherman gave notice that he would on some future day, introduce,

A bill to provide for the settlement of the claims of S. W. McKnight, and others.

Mr. Church called up the following resolution from the table:

Resolved, That the Governor be requested to communicate forthwith to this House what action has been had in the Executive Department of this State, under the act entitled "an act to provide for the completion of the Canal and Locks around the rapids of Grand river, at Grand Rapids," approved April 7, 1861; and in especial, whether any Commissioner was appointed and approved under said act; whether such Commissioner, if appointed, has reported his proceedings under said appointment to the said Executive Department, and if so, transmit to this House a copy of said report for its use.

The resolution was then adopted.

Mr. McIntyre introduced the following resolution:

Resolved, That the use of this Hall be granted to the Methodist Episcopal Church, each Sunday afternoon during the present session, in accordance with the petition of P. F. Donaldson and others, now on the table of this House.

Which was adopted.

Mr. Strang offered the following resolution:

Resolved, That the committee on the State Prison be instructed to inquire whether a mint has been established in the State building, in the village of Jackson; and, if so, whether it is conducted under the direction of the public officers, having charge there; whether the work is done by men employed by the State, without wages, or those whose salaries are too small; and also whether the money coined is the money of this State, and by authority of what law the coining is done.

Laid on the table.

Mr. N. Power gave notice that on some future day, he would ask leave to introduce a bill to authorize the formation of corporations for select schools.

Mr. Ashman, pursuant to previous notice, asked leave to introduce a bill to organize the county of Gratiot,

And moved its reading and reference to the appropriate committee.
Leave granted.

The bill was then read a first and second time, and referred to the committee on Towns and Counties.

Mr. Strang, in pursuance of previous notice, asked and obtained leave to introduce,

A bill to organize the county of Delta.

Read a first and second time and referred to the committee on Towns and Counties.

Mr. Strang also asked and obtained leave, pursuant to previous notice, to introduce,

A bill to organize the county of Iosco.

Read a first and second time and referred to the committee on Towns and Counties.

Mr. Strang gave notice that on some future day he would ask leave to bring in,

A bill to organize certain townships therein named.

Mr. Ashman, pursuant to previous notice, asked and obtained leave to introduce,

A bill to provide for the collection of taxes in the township of Dupla Vista, in the county of Saginaw, for the year 1864, and to extend the time for the collection thereof.

Read a first and second time and referred to the committee on Towns and Counties.

Mr. Ashman gave notice that on some future day he would introduce,

A bill to amend section 87 of chapter 16, title 4, of the revised statutes of 1846.

Mr. Strang asked, and obtained leave, in pursuance of previous notice, to bring in

A bill to enlarge the County of Grand Traversa.

Read a first and second time, and referred to committee on Towns and Counties.

Mr. Strang asked, and obtained leave, in pursuance to previous notice, to introduce,

A bill to change the name of the Township of Antrim in the County of Grand Traversa.

Read a first and second time, and referred to committee on Towns and Counties.

Mr. Strang also asked and obtained leave to introduce,

A bill to authorize the holding of a special election in the County of Cheboygan.

Read a first and second time, and referred to committee on Elections.

Mr. Hall gave notice that on some future day he would ask leave to introduce,

A bill to provide for determining the legality of highways.

Mr. Strang offered the following resolution :

Resolved, That the Clerk of this House furnish each member with a map of the State, exhibiting both county and township boundaries, and adapted to the wants of the House, in districting the State, and apportioning Representatives.

Which was laid on the table.

On motion of Mr. Gregory,

The House adjourned to Monday morning next, at 9 o'clock.

Lansing, January 8, 1855.

House called to order at 9 o'clock.

Prayer by the Rev. Mr. Franklin.

Roll called; a quorum present.

Journal read and approved.

PETITIONS.

By Mr. Chapel: the following petition, subscribed by eighteen hundred names:

To the Honorable, the Senate and House of Representatives of the State of Michigan:

The undersigned electors and residents of the Upper Peninsula of Michigan, humbly petition your honorable body, when in Legislature assembled, to take into consideration the plan for the surveying, establishing and building of a road along the mineral range, having its eastern terminus at Copper Harbor, and extending westward to the Ontonagon River, for reasons more fully set forth in the accompanying memorial, which your petitioners adopt as their own.

Your petitioners believe that no one improvement involving so considerable outlay, will so much conduce to the rapid and healthful settlement of their section of country as the aforesaid road, which will add greatly to the vigorous growth and the corresponding wealth of the State.

Your petitioners hope, that, in view of the situation of the country through which said road should pass, its sparse population, the scarcity

of harbors along the coast near which said road should run, the total want of a farming population, the great difficulties of communication among the mines, of transportation to and from the harbors, and the fact that the State is a large and peculiar landholder on the proposed route will be carefully noted, and that your honorable body will give it such aid as your wisdom and foresight may dictate and determine, which your petitioners as in duty bound, will ever pray, &c.

Referred to the committee on Roads and Bridges.

By Mr. Beebe: a petition of B. Porter for the amount claimed by him to be due him from the State, for and on account of building the State Capitol.

Referred to the committee on State Affairs.

By Mr. Sherman: a petition of J. F. Lyon and seventy-five others of the Upper Peninsula, praying for aid to construct plank and other roads, which will give them means of ingress and egress during the winter months.

Referred to the committee on Internal Improvements.

By Mr. Stout: a memorial from J. C. Holmes, Secretary of Michigan State Agricultural Society, praying for the passage of a general act to incorporate County Agricultural Societies.

Referred to the committee on Agriculture and Manufactures.

By Mr. Strang: a petition of Samuel Clemens and nine others, citizens of this State, asking the right of suffrage.

Which being read,

Mr. Mills moved to refer to a select committee to be appointed by the Speaker.

Mr. Church moved to amend by referring the petition to the committee on Federal Relations.

Mr. Mills accepted the amendment.

Mr. Littlejohn moved to amend and refer the petition to the committee on the Judiciary.

Mr. Littlejohn's motion prevailed, and the petition was referred to the committee on the Judiciary.

By Mr. Gregory: a petition of John S. Tibbitts, William B. Grow and fifty-three others, legal voters of the township of Plymouth, in Wayne County, praying for a Prohibitory Liquor Law.

Also, the petition of G. W. Jenks and 75 other legal voters of Livingston county, praying for the passage of a Prohibitory Liquor Law.

Referred to the Select Committee on a prohibitory liquor law.

By Mr. Chatfield: a petition of P. M. Rogers and eighty-one others, citizens of Eaton County; also of J. S. Smith and thirty-one others, citizens of Eaton County, praying for the passage of a General Railroad Law; also

A petition of G. T. Rand and twenty others, citizens of Eaton County, praying for the passage of a General Banking Law.

Which were severally referred to the committee on Banks and Incorporations.

Mr. Chatfield also presented a petition of J. S. Smith and 21 others, of Eaton county; also of P. W. Rogers and 87 other citizens of Eaton county, each praying for an appropriation on the Lansing and Eaton Rapids State road.

Referred to the committee on Roads and Bridges.

Mr. Chatfield also presented the petition of Samuel Ferris and 34 others, praying for the passage of a law prohibiting the traffic in intoxicating liquors.

Referred to the select committee of five on the Liquor Law.

Mr. Chatfield also presented the petition of H. Hamlin and others, of Eaton county, asking for the establishment of a School for the education of young ladies.

Referred to the committee on Education.

Mr. Noble presented a petition of 36 inhabitants of Wayne county, praying for the establishment of a State Agricultural School.

Referred to the committee on Agriculture and Manufactures.

REPORTS OF STANDING COMMITTEES.

Mr. McIntyre, from the committee on Education, to whom was referred,

A bill entitled an act to enlarge the powers of School District No. 11, in the city and township of Ann Arbor, in the county of Washtenaw,

Reported the same back to the House without amendment, and recommended its passage.

The report of the committee was accepted, and the bill laid on the table and ordered printed.

Mr. McIntyre from the committee on Education, to whom was referred,

A bill entitled an act to amend sections thirteen and fifteen of an act entitled an act relative to Free Schools in the city of Detroit,

Reported the same back to the House, and recommended its passage.

Report accepted, and the bill laid on the table and ordered printed.

Mr. White, from the committee on Towns and Counties, to whom was referred,

A bill entitled an act to provide for the collection of taxes in the township of Buena Vista, in the county of Saginaw, for the year 1854, and to extend the time for the collection thereof,

Having had the same under consideration, reported the bill back to the House, recommended its passage, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

Mr. White, from the same committee, to whom was referred,

A bill to define the northern boundary of the county of Lapeer,

Reported the same back to the House, recommended its passage, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

Mr. Enos, from the committee on Printing, to whom was referred the resolution of the House respecting the publication of a Manual, reported that they had considered the same, and recommended its passage, with an amendment, adding after the words "diagram of the two Houses," the words: "and a map of the State, showing an outline of the Senatorial and Representative districts."

Which report was accepted, the committee discharged, the amendment rejected, and the resolution laid on the table.

Mr. Enos submitted the following report:

The committee on Printing, to whom was referred the resolution of the House authorizing the translation and publication of the messages of the Governor and the ex-Governor, would submit the following report:

That they have performed that duty, and that the work is in progress.

URIEL ENOS, *Chairman*.

Which report was accepted and the committee discharged.

Mr. Sherman, from the committee on Mines and Minerals, to whom was referred,

A bill entitled an act supplementary to an act to organize companies for mining, manufacturing, and for other purposes,

Reported the same back to the House and recommended its passage.

Report accepted, committee discharged, and the bill laid on the table and ordered printed.

Mr. Tiffany, from the committee on the Judiciary, submitted the following report:

The committee on the Judiciary, to whom was referred the bill to amend section 16, chapter 91, title 21, of the revised statutes of 1846, ask leave to report that they have had the same under consideration, and that they are of opinion that sufficient provisions are made in the revised constitution and in the revised statutes, for all the cases of vacancy in the office of Judge of Probate, and for all the cases of his inability to act, except the one of thirty days absence from the county of his jurisdiction, particularly specified in said bill; that they do not regard such absence as a sufficient cause for making said office of Judge of Probate vacant, and therefore they recommend that said bill do not pass.

A. R. TIFFANY, *Ch'n.*

Which report was accepted, the committee discharged from the further consideration of the subject, and the bill laid on the table.

Mr. Tiffany also submitted the following report.

The Committee on the Judiciary, to whom was referred the bill to provide "for the appointment of Circuit Court Commissioners in certain cases," have had the same under consideration, and would report the same back to the House, with a substitute for the second section thereof, of which they recommend the adoption, and also recommend the passage of said bills, thus amended.

ALEXANDER R. TIFFANY,

Chairman.

Which report was accepted, the substitute adopted, and the bill laid on the table and ordered printed.

Mr. Tiffany also submitted the following report:

The committee on the Judiciary, to whom was referred the bill to provide for an additional Circuit Court Commissioner for the county of Wayne, have had the same under consideration, and would report

the same back to the House, without any recommendation. Without expressing any objection to the bill, upon the ground of expediency, they hesitate as to the power of the Legislature to authorize the Governor to appoint an officer, for whom the Constitution in article VI, section 16, has made provision, and decreed to *be elected*. While it is clearly competent for the Legislature to provide by law, for the election of more than one Circuit Court Commissioner, it may not have the power to create and fill that office in any other mode. Yet the Legislature, by an act approved April 7, 1851, and by another act, approved February 14, 1853, has undertaken so to do; but with what legal validity, the committee will not undertake now to decide. They ask leave to report to the House, with the aforesaid bill, a resolution, calling upon the Attorney General for his opinion upon the question, whether the Governor can be empowered by the Legislature to appoint a Circuit Court Commissioner, (except to fill vacancy,) and respectfully ask to be discharged from the further consideration of the subject.

ALEXANDER R. TIFFANY.

Which report was accepted, and the bill laid on the table, and ordered printed.

The following resolution, accompanying the last named report of the committee on the Judiciary, was then adopted.

Resolved, That the Attorney General be, and he is hereby requested to report to this House, whether in his opinion, the Legislature of this State, can constitutionally authorize the Governor to appoint a Circuit Court Commissioner, except in the case of vacancy.

Mr. Church moved that the Clerk be directed to transmit to the Attorney General a copy of the said bill with the resolution.

Carried.

Mr. Littlejohn moved to reconsider.

Carried.

After some discussion, the resolution was adopted.

MESSAGES FROM STATE OFFICERS.

The Speaker announced the following communication from the Commissioner of the Land Office:

STATE LAND OFFICE,
Lansing, Michigan, Jan. 6th, 1855. }

To the Honorable, the Speaker of the House of Representatives:

SIR—By request of my predecessor, I have the honor herewith to transmit to the House of Representatives the Annual Report from this

office, prepared by my predecessor, exhibiting the condition of the finances at the close of the last fiscal year.

Very Respectfully,

S. B. TREADWELL,

Commissioner of the Land Office.

Also the following from the Secretary of State:

OFFICE OF THE SECRETARY OF STATE, }
Lansing, Jan. 8th, 1855. }

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—In obedience to a resolution of the House of Representatives, adopted January 5th, 1855, I have this day deposited in the State Library the Revised Statutes of 1846, Session Laws of 1846, to 1853, inclusive, Journals and Documents of the last session, as far as they can be furnished, for the use of the members of the Legislature during their present session.

Very Respectfully,

Your Ob't Servant,

JOHN McKINNEY,

Secretary of State.

Also the following:

SECRETARY OF STATE'S OFFICE, }
Lansing, January 8, 1855. }

HON. CYRUS LOVELL,

Speaker of House of Representatives:

SIR—I have the honor to transmit herewith the annual report of the Board of State Auditors for the fiscal year ending Nov. 30, 1854, as prepared by my predecessor.

Very respectfully, &c.,

JOHN McKINNEY,

Secretary of State.

Which were severally read, and laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Wells gave notice that on to-morrow he would ask leave to introduce a bill entitled,

An act for the Incorporation of Charitable Societies.

Mr. Brown gave notice that on some future day he would ask leave to introduce,

A bill to amend section second, chapter twenty-third, title six of the Revised Statutes of 1946.

On motion of Mr. Strang,

The following resolution was taken from the table:

Resolved, That the committee on the State Prison be instructed to inquire whether a mint has been established in the State buildings, in the village of Jackson, and if so, whether it is conducted under the direction of the public officers, having charge there; whether the work is done by men employed by the State, without wages, or those whose salaries are too small; and also whether the money coined is the money of this State, and by authority of what law the coining is done.

Mr. Wells offered the following as a substitute:

Resolved, That a select committee of three be appointed by the Speaker to investigate the affairs of the State Prison, and that they be authorized to send for persons and papers.

Mr. Ralph moved to amend the substitute as follows:

Resolved, That the committee on the State Prison be requested to inquire whether the United States coin is, or has been coined or counterfeited in the prison, by any one.

On motion,

The whole subject was laid on the table.

Mr. Atwood gave notice that on some future day he would ask leave to introduce,

A bill to define the southern and eastern boundaries of the county of Tuscola.

Mr. Middlesworth introduced the following resolution:

Resolved, That the Secretary of State be directed to furnish the State Library with fifty copies of Webster's Abridged Dictionary, as soon as practicable, for the special use of the legislators when in session, and for all the State Officers.

Which was referred to the committee on Education.

Mr. Middlesworth offered the following resolution:

Resolved, That the Secretary of State be directed to furnish the committee rooms with stoves and seats, for the special use of the House while in session—and to be done as soon as possible.

Mr. Church offered the following as a substitute:

Resolved, That the rooms partitioned from the south end of this Hall be appropriated for the use of the Clerk and committees of this House, and that the committee on Supplies and Expenditures be and are hereby instructed to cause the same to be fitted and furnished for such use, without delay.

On motion of Mr. Mills, it was

Resolved, That the committee on State Affairs be instructed to report a bill for the speedy establishment of a State Institution of Correction, for the instruction and reform of juvenile offenders, to be entirely disconnected from the State Penitentiary.

Mr. Mills offered the following resolution:

Resolved, That as the gentleman from Kent denies that colored persons are citizens of this State, he be requested to inform this House what place or country the colored residents of this State are citizens of.

Which was laid on the table.

Mr. Littlejohn gave notice that on some future day he would ask leave to introduce,

A bill to provide for the sale and reclaiming of the Swamp Lands granted to the State, and for the disposition of the proceeds of such sale.

Mr. Chatfield gave notice that he would on some future day ask leave to introduce,

A bill to amend chapter ninety-four of the Revised Statutes of 1846; also,

A bill to extend the time for the collection of taxes in the township of Brookfield, in the County of Eaton.

On motion of Mr. Fitch, it was

Resolved, That the Commissioners of the Saut Ste. Marie Canal be requested to report to this House, the condition and state of the work on said Canal, and whether any further legislation is required to secure the completion of the same; and further, to recommend such legislation as they shall deem necessary for the management of the Canal when completed and ready for use.

On motion of Mr. Judd, it was

Resolved, That the Committee on Banks and Incorporations be instructed to inquire into the matters referred to by the Treasurer in his Annual Report to this House, in reference to the affairs of the Govern-

ment Stock Bank at Ann Arbor, and that they be authorized to send for persons and papers; also to employ counsel.

Mr. Chapel moved to strike out the words "also to employ counsel." Which motion prevailed.

Mr. Moorman, leave being granted, introduced,

A bill entitled an act to amend section two of chapter one hundred and twenty-six of title twenty-four of the Revised Statutes of eighteen hundred and forty-six.

Which bill was read a first and second time, by its title, and referred to the committee on the Judiciary.

On motion,

The House adjourned.

AFTERNOON SESSION.

2 o'clock, P. M.

House called to order by the Speaker.

Roll called; a quorum present.

Mr. J. Divine, pursuant to previous notice, leave being granted, introduced,

A bill to organize the township of Forrest, in the county of Sanilac, which was read a first and second time, and referred to the committee on Towns and Counties.

On motion of Mr. Brownell, it was,

Resolved, That the Committee on Printing be instructed to inquire into the probable expense of collating and re-printing the Statute laws of this State, and report to this House as soon as practicable.

Mr. Ashmun, pursuant to previous notice, leave being granted, introduced,

A bill to amend section eighty-seven of chapter sixteen, title four of the Revised Statutes of eighteen hundred and forty-six.

Which was read a first and second time, and referred to the committee on the Judiciary.

Mr. Ashmun gave notice that on some future day he would ask leave to introduce,

A bill to amend an act entitled an act to organize the county of Midland.

Mr. Montague gave notice that on some future day he would ask leave to introduce,

A bill to incorporate the village of Flint, in Genesee county.

Mr. Wells' substitute for Mr. Strang's resolution on the State Prison, and Mr. Ralph's amendment thereto, being withdrawn,

Mr. McIntyre offered the following substitute:

Resolved, That the committee on State Prison be instructed to inquire and report to this House, with all convenient speed, whether any coin has been counterfeited within the walls of the State Prison, at Jackson, or with the knowledge or approbation of any person in the employment or service of this State, and if so by whom, and with whose knowledge or approbation, and whether any such counterfeit coin has been kept, paid out, or put in circulation with the knowledge or approbation of any person in the service of this State, and if so, by whom and with whose knowledge or approbation.

Which was accepted by Mr. Strang, and adopted by the House.

Mr. Church offered the following resolution:

Resolved, That this House do adopt the rules of the last House of Representatives, (as contained in the Manual thereof,) as the permanent rules of this House.

Which was referred to the committee on Rules and Joint Rules.

Mr. Church also offered the following:

Resolved, (the Senate concurring,) That the joint rules of the last Senate and House of Representatives, and the rules of the last Senate and House of Representatives in joint convention, (as contained in the Manual thereof,) be adopted by this Legislature as the permanent rules of the said Senate and House.

Which was laid on the table one day, under the rules.

Mr. Miller gave notice that on some future day he would ask leave to introduce,

A bill to provide for laying out private roads.

On motion of Mr. McIntyre, it was

Resolved, That the committee on Supplies be directed to have the locks on the tables of the House be put in a condition that they can be used.

Mr. Smith gave notice that he would on some future day ask leave to introduce,

A bill for the incorporation of the village of Milford, in Oakland Co.

Mr. Williams gave notice that he would on some future day, ask leave to amend the first subdivision of section 54 of chapter 58, title 11 of the revised statutes of 1846; also,

A bill to amend sec. 40 of chapter 58, title 11 of the revised statutes of 1846; also,

A bill to amend sec. 74 of chapter 58, title 11 of the revised statutes of 1846; also,

A bill to amend section 87 of chapter 58, title 11 of the revised statutes of 1846; also,

A bill to amend section 91 of chapter 58, title 11, of the revised statutes of 1846.

Mr. J. Divine gave notice that he would on some future day ask leave to introduce,

A bill to confirm the sale of Swamp Lands made by the Commissioner of the State Land Office, in the Kalamazoo and Detroit Land Districts.

Mr. Strang moved to take from the table the following resolution:

Resolved, That the Clerk of this House furnish each member with a map of the State, exhibiting both county and township boundaries, and adapted to the wants of the House, in districting the State and apportioning Representatives.

The motion was carried and the resolution adopted.

On motion of Mr. Church, it was

Resolved, That the Clerk of this House be authorized to employ an assistant clerk.

Mr. Hall, pursuant to previous notice, asked and obtained leave to introduce,

A bill to provide for determining the legality of highways.

Which was read a first and second time, and referred to the committee on Roads and Bridges.

Mr. Gregory offered the following resolution:

Resolved, That rule second of the rules of this House be suspended and the daily reading of the journal be dispensed with, until otherwise ordered.

Lost.

Mr. Sherman gave notice that he would on some future day ask leave to introduce,

A joint resolution instructing our Senators and requesting our Representatives in Congress to set off that part of the State of Michigan known as the Upper Peninsula, into a separate Territory, to be known as the Territory of Superior.

Mr. Middlesworth gave notice that on some future day he would ask leave to introduce,

A bill to simplify, abridge, and amend the Judiciary, that all may have their just due in a summary way, and have their rights more efficiently protected from the encroachments of villainy.

Mr. Hall called up from the table the following Senate Resolution:

Resolved, (the House concurring,) That the State Printer be instructed to transmit one copy of the Daily Journal of the proceedings of the Legislature, to the publisher of each newspaper in the State during the session.

Mr. Beecher offered the following as a substitute,

Resolved, That the Clerk cause one copy of the Daily Journal to be furnished to each newspaper of this State, out of the number ordered by this House.

Which substitute was afterwards withdrawn.

Mr. Sherman moved to amend by adding to the resolution the following words: "out of the number now ordered."

Which amendment was lost.

On motion of Mr. Ralph,

The House adjourned.

Lansing, Tuesday, January 9, 1855.

The Speaker called the House to order at 9 o'clock.

Roll called; a quorum present.

Prayer by the Rev. Mr. Donaldson.

Minutes read, and corrected.

PETITIONS.

By Mr. McIntyre: a petition of S. B. Thayer and others, for the creation of a Chair of Homeopathy in the medical department of the University, and the appointment of a Professor thereto.

Referred to the committee on Education.

By Mr. Mills: a petition from the trustees of the first Presbyterian church of Grass Lake, Jackson county, for a change of name, and power to sell and convey title to their church lot and parsonage, at Grass Lake Centre.

Referred to the committee on Banks and Incorporations.

By Mr. Williams: a petition of Samuel W. Dexter, and 33 others, asking an appropriation of funds arising from sale of swamp lands, for the establishment of an Institution for the education of females.

Referred to the committee on Education.

REPORTS OF STANDING COMMITTEES.

Mr. Tiffany, from the committee on the Judiciary, to whom was referred a bill entitled "an act to amend section eighty-seven of chapter sixteen, title four of the revised statutes of eighteen hundred and forty-six,"

Reported the same back to the House, with a substitute for said bill, and recommended the passage of the substitute, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the substitute adopted, laid on the table and ordered printed.

Mr. Beecher, from the committee on Ways and Means, to whom was referred,

A bill for the payment of the Members and Officers of the Legislature,

Reported the same back to the House without amendment, and recommended its passage.

Mr. Parsons moved to suspend the rules, and put the bill upon its passage.

Which motion prevailed.

On motion of Mr. Parsons,

The bill was read a third time and passed, by the following vote:

YEAS.

Mr. Atwood,
Ashman,
Bardley,
Beebe,
Beecher,
Brown,
Hall,

Mr. Hathaway,
Hixon,
Hurd,
Ives,
Judd,
Parsons,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,

| | | |
|---------------|-----------------|-------------|
| Brownell, | King, | Sanborn, |
| Cady, | Kirkland, | St. Aubin, |
| Chapel, | Lapham, | Sherman, |
| Chatfield, | Littlejohn, | Shier, |
| Church, | Lomison, | Smith, |
| J. Divine, | Luce, | Stout, |
| R. K. Divine, | McIntyre, | Strang, |
| Dunakin, | Middlesworth, | Sutherland, |
| Duncan, | Miller, | Tiffany, |
| DuPuy, | Mills, | Tompkins, |
| Eddy, | D. N. Montague, | Ward, |
| Enos, | H. Montague, | Wells, |
| Ewell, | Moorman, | Wendell, |
| Fitch, | Mussey, | White, |
| Gilman, | Noble, | Williams, |
| Gregory, | Parker, | Whitmore. |
| Speaker. | | |

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NAYS.

9

Pending the call of the yeas and nays,

Mr. White asked to be excused from voting.

Which request was non-concurred in.

The bill was then ordered to take immediate effect, by the following

vote:

YEAS.

| | | |
|---------------|-----------------|----------------|
| Mr. Atwood, | Mr. Hall, | Mr. Pettit, |
| Ashman, | Hathaway, | N. Power, |
| Barclay, | Hixon, | P. Power, |
| Beebe, | Hurd, | Ralph, |
| Beecher, | Ives, | Reynolds, |
| Brown, | King, | Rosa, |
| Brownell, | Kirkland, | Sanborn, |
| Cady, | Lapham, | St. Aubin, |
| Chamberlin, | Littlejohn, | Sherman, |
| Chapel, | Lomison, | Shier, |
| Chatfield, | Lovell, | Smith, |
| Church, | Luce, | Stout, |
| J. Divine, | McIntyre, | Strang, |
| R. K. Divine, | Middlesworth, | Sutherland, |
| Dunakin, | Miller, | Tiffany, |
| Duncan, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Ward, |
| Eddy, | H. Montague, | Wells, |
| Enos, | Moorman, | Wendell, |
| Ewell, | Mussey, | White, |
| Fitch, | Noble, | Whitmore, |
| Gilman, | Parker, | Williams, |
| Gregory, | Parsons, | Speaker, _____ |

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Mr. Wendell, from the committee on Towns and Counties, to whom was referred,

A bill to organize the township of Greenland, and define the boundaries thereof, and for other purposes,

Reported the same back to the House, and recommended its passage.

Report accepted, committee discharged, and the bill laid on the table and ordered printed.

Mr. Wendell, from the same committee, to whom was referred a bill entitled, an act to organize the county of Gratiot,

Reported the same back to the House, and recommended its passage.

Report accepted, committee discharged, and the bill laid on the table, and ordered printed.

Mr. Wendell, from the same committee, to whom was referred,

A bill to change the name of the township of Antrim, in the county of Grand Traverse,

Reported the same back to the House, recommended its passage, and asked to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill laid on the table and ordered printed.

Mr. Strang, from the committee on Indian Affairs, submitted a report from that committee,

Which was accepted, and ordered printed.

Mr. J. Divine moved that the committee on Indian Affairs report a bill in accordance with the recommendation of their report.

Carried.

In compliance with the request of the House,

Mr. Strang, from the committee on Indian Affairs, introduced,

A bill to organize certain townships therein named,

Which was read a first and second time, laid on the table, and ordered printed.

Mr. Munsey gave notice, that on some future day he would ask leave to introduce

A bill to amend an act to incorporate the village of Romeo; also,

An act to restore certain forfeited rights to certain purchasers of primary school lands.

Mr. Whitmore gave notice, that on some future day he would ask leave to introduce a bill to amend section three, chapter twenty-four, title six of the revised statutes of 1846; also,

A bill to amend section eight of chapter twenty-four, title six of the revised statutes of 1846; also,

A bill to provide for the compensation of judges of probate, and for other purposes.

Mr. White offered the following resolution:

Resolved, That the committee on Supplies and Expenditures be and are hereby instructed to fit up all rooms now vacant on the lower floor of this building, so as to be used as committee rooms for this House.

Which resolution was laid on the table.

Mr. Tompkins offered the following resolution:

Resolved, That the Clerk of this House be instructed to transmit one copy of the daily journal of the two Houses to each publisher of a newspaper in the State, to be furnished out of the number ordered for the House.

Which resolution was lost.

Mr. Parsons gave notice that he would on some future day ask leave to introduce,

A bill authorizing the Detroit and Pontiac Railroad Company, and the Oakland and Ottawa Railroad Company to consolidate, so as to form a continuous line from Detroit to Lake Michigan, and for other purposes.

Mr. Wells, pursuant to previous notice, asked and obtained leave to introduce,

A bill entitled an act for the incorporation of Charitable Societies.

Which bill was read a first and second time by its title, and referred to the committee on Banks and Incorporations.

Mr. Church moved to take from the table House bills Nos. 1 and 2, and refer them to the committee of the Whole.

Which motion was carried.

Mr. Church moved that the following resolution be taken from the table:

Resolved, (the Senate concurring,) That the committee on Printing be instructed to prepare and cause to be published, with all practicable dispatch, for the use of the two Houses of this and the next Legislature, a Manual, containing the Rules of each House, the Joint Rules of the same, and the Rules of the said Houses in Joint Convention, with an index thereof; the Revised Constitution of this State, with an index thereof; the Census of this State for the years 1845, 1850, and 1854, by Townships and Counties, in alphabetical order; a table of the names, residence, post-office address, boarding house, &c., of each member of the Legislature; a list of the Senators by Districts, and of the Representatives by Counties and the Districts thereof; a table of the Standing Committees of each House; a Calendar of the present year, and also a diagram of the two Houses.

Which motion prevailed.

The resolution was then,

On motion of Mr. Church,

Read a first and second time, laid on the table, and ordered printed.

On motion of Mr. McIntyre, it was

Resolved, That the Clerk supply the Governor and each of the State officers with a copy of the daily Journal of this House, from the commencement of the present session.

Mr. Atwood gave notice that on some future day, he would ask leave to introduce,

A bill to amend sections eight, nine, ten, eleven, and twelve, of chapter twenty-five, title four of the revised statutes of 1846, and all acts amendatory thereto.

On motion,

The following Senate Resolution, in which the concurrence of the House was asked, was taken from the table:

Resolved, (the House concurring,) That the State Printer be instructed to transmit one copy of the daily Journal of the proceedings of the Legislature, to the publisher of each newspaper in the State during the session.

Read a third time, and the House refused to concur by the following vote, (Mr. Wilbur being excused from voting:)

YEAS.

| | | |
|---------------|--------------|--------------|
| Mr. Atwood, | Mr. Duncan, | Mr. Parsons, |
| Barclay, | DuPuy, | N. Power, |
| Brown, | Gilman, | Ross, |
| Chamberlin, | Hall, | St. Aubin, |
| Chapel, | Hathaway, | Smith, |
| Chatfield, | Hurd, | Strang, |
| Church, | Ives, | Sutherland, |
| J. Divine, | Kirkland, | Wells, |
| R. K. Divine, | Lovell, | Wendell, |
| Dunakin, | H. Montague, | Speaker, 30 |

NAYS.

| | | |
|-------------|-----------------|---------------|
| Mr. Aahmun, | Mr. Littlejohn, | Mr. P. Power, |
| Beecher, | Lomison, | Ralph, |
| Brownell, | Luce, | Reynolds, |
| Cady, | McIntyre, | Sanborn, |
| Eddy, | Middlesworth, | Sherman, |
| Enos, | Mills, | Shier, |
| Ewell, | D. N. Montague, | Stout, |
| Fitch, | Moorman, | Tompkins, |
| Gregory, | Mussey, | Ward, |
| Hixon, | Noble, | White, |
| Judd, | Parker, | Whitmore, |
| King, | Pettit, | Williams, 37 |
| Lapham, | | |

The House then went into committee of the Whole, on the general order, on House Bills Nos. 1 and 2,

Mr. Church in the Chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

A bill to enlarge the powers of school district No. 11, in the city and township of Ann Arbor, in the county of Washtenaw,

With an amendment, to wit: to strike out section 5, in which they asked the concurrence of the House; also

A bill to amend sections 13 and 15 of an act entitled "an act relative to free schools in the city of Detroit," approved February 17, 1842,

With an amendment, striking out section 3, in which the concurrence of the House was asked.

The report was accepted, the committee discharged, and the House concurred in the amendment of House bill No. 1, when, on motion,

The House adjourned.

AFTERNOON SESSION.

2 o'clock, P. M.

The Speaker called the House to order.

Roll called; a quorum present.

Absent, Mr. Sanborn.

House bill No. 1, being

A bill to enlarge the powers of School District No. 11, in the city and township of Ann Arbor, in the county of Washtenaw,

Was then ordered to be engrossed, and read the third time.

The amendment made in committee of the Whole, to House bill No. 2, viz.:

A bill to amend sections thirteen and fifteen of an act entitled an act relative to Free Schools in the City of Detroit, approved February 17, 1842,

Was concurred in, and the bill ordered to be engrossed and read a third time.

The Speaker asked and received the unanimous consent of the House, for the purpose of announcing the following communication received from the Senate:

SENATE CHAMBER,
Lansing, January 9, 1855. }

To the Speaker of the House of Rep's:

Sir—I am instructed by the Senate, to transmit to the House of Representatives, a joint resolution relative to the claim of Jonas H. Titus; also,

A bill to amend sections seven, eight and thirteen, of chapter one hundred and forty-eight of the Revised Statutes.

Each of which the Senate have passed by a majority vote of all the Senators elect, and by a two-thirds vote ordered to take effect immediately, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

A joint resolution relative to the claim of Jonas H. Titus,

Was read a first and second time, and referred to the committee on State Affairs.

The bill to amend sections seven, eight, and thirteen, of chapter one hundred and forty-eight of the revised statutes,

Was read a first and second time, and referred to the committee on the Judiciary.

Mr. Church asked a suspension of the rules, for the purpose of introducing a memorial.

Which was consented to.

Whereupon, Mr. Church presented a memorial of Morgan L. Drake, Secretary of the Lake Superior Railroad Company, asking for such an act of assent on the part of the State of Michigan, to the act of incorporation by the Legislature of Wisconsin of the aforesaid company, as may be necessary to authorize said company, under said act of incorporation, to construct its roads and branches within the State of Michigan, and to give such encouragement thereto as may be proper.

Which was,

On motion of Mr. Church,

Laid on the table and ordered printed.

On motion of Mr. Beebe,

The House adjourned.

Lansing, January 10, 1855.

House called to order at 9 o'clock.

Prayer by the Rev. Mr. Franklin.

Roll called.

Reading of the Journal laid on the table.

Mr. Wells announced the presence of Mr. Edwards, Representative from the county of Wayne, who appeared before the Speaker, and took the required oath of office as Representative.

The Speaker announced the following:

Presentment of the Grand Jurors of the County of Wayne, to the Circuit Court of said county, with a request that the same be transmitted to the Legislature, relative to a House of Refuge:

To the Honorable, the Legislature of the State of Michigan:

The Grand Jurors of the County of Wayne, at the November term of the Circuit Court of said county, inquiring in and for the body of the People, *Present:*

That in prosecuting their investigations they have been painfull impressed with the amount of crime which appears to have been committed by minors, of both sexes, including many children of tender years. That many of these have become hardened offenders by contact with older criminals confined with them in the County Jail, there being no provision by law or otherwise for placing these children in separate places of confinement from the most abandoned veterans in iniquity.

And we, the said Jurors, from our opportunities of investigating the matter, have no hesitation in saying—that for want of a *Work House* or *House of Refuge*, in which young offenders may be placed apart from older criminals, and with means of employment and reformation, large numbers of children are growing up in such a manner as to ruin all their own prospects, and endanger the peace and safety of the whole community. In repeated instances, young children have been sent to the State Prison, as the only place in which they can be confined without danger of corruption, when their proper place would have been in a House of Refuge. It becomes an act of mercy to select the State Prison as their place of confinement in lieu of the County Jail.

Instances of juvenile depravity are constantly on the increase, and the numerous cases brought before us at our present session, impose it upon us as an imperative duty, to remonstrate against the continuance of such a deplorable state of things.

Beginning with begging and petty pilfering, for which they are at length committed within the county prison, the association there with the worst class of offenders, abounding in the city, makes them very shortly familiar with every kind of wickedness, and ready to commit any crime.

We believe that this evil, if it is not speedily checked, will become unmanageable, and that the only course that can be taken for the public safety is, to provide immediate means for the separate confinement, and occupation in useful labor, of all juvenile delinquents.

And so believing, we *Present*: That the existing provisions of law, which allow children to be confined and punished in the same place and manner with older criminals, is a serious and lamentable evil, and works great detriment, both by endangering public and pri-

vate safety, and by adding facilities for sinking in irretrievable depravity those whom misfortune or temptation have induced to take the first step in wickedness.

In addition to the facts above stated, we would *Present*: that a large number of vagrants and dissolute persons, from the city and surrounding country, who have no sense of honor, and think only of the most easy way of prolonging existence, are accustomed to make the jail their residence during the season of winter, when the inclemency of the weather drives them from their accustomed haunts—committing some trivial offence, for which they are arrested and committed to the jail, where they remain until the clemency of the weather admits a return to their former places and courses of life—thus bringing upon us a most miserable class of population, and imposing upon the county an onerous burden of taxation for their support.

Whereas, it is believed that if a proper *Work House* were provided they would either remain away from our county or contribute by their labor to their own support, and thus relieve the county of a great burden of taxation.

From the foregoing considerations, the Grand Jury would *Present*: That they deem it indispensable to the best interests of the county that a *Work House* or *House of Refuge* be provided at the earliest possible day, where those of the character above set forth may be confined, and that they may contribute by their labor to their own subsistence, and to the relief of the county from its present burdens; and, above all, that the unfortunate class referred to may be improved and refined, instead of being made worse, as they are by the present system.

And we hereby request the Court to transmit this *Presentment* to your honorable body, with the earnest hope that it may receive your prompt and favorable consideration. Nov. 22d, 1854.

E. J. Penniman,

Edwin Fuller,

Jno. Palmer,

Benj. M. Davis,

Ambrose Burr,

Lyman Joslyn,

G. F. R. Wadleigh,

Datus E. Mory,

A. L. Chase,

Bernard Hackett,

Austin Stocking,

Louis Specht,

Owen Burns,

Ransom Curtis,

Wm. H. Gregory,

Stephen Hill,

Ebeneser McMullen.

State of Michigan, County of Wayne, ss :

I, Elijah Hawley, Jr., Clerk of the Circuit Court for the County of Wayne, do hereby certify, that the foregoing is a true and correct copy of a certain paper writing presented and filed in said Court by the Grand Jury of said county, at their November session, in the year A. D. 1854, and of the whole thereof, as appears from the original now on file in my office.

In testimony whereof I have hereunto set my hand and the seal of

[L. s.] said Court, at Detroit, this first day of January,
A. D. 1855.

E. HAWLEY, Jr., Clerk.

Which was read by the Clerk, and referred to the committee on State Affairs.

PETITIONS.

By Mr. White: a petition of George Clark, Jr., and 25 others, citizens of the county of Lapeer, praying for the establishment of an Agricultural School.

Referred to the committee on Agriculture and Manufactures.

• Also, a petition of Wm. Beech and 18 others, praying for the same.

Referred to the committee on Agriculture and Manufactures.

By Mr. Ewell: a petition of the Board of Supervisors, of Macomb county, and others, for the repeal of act No. 96, of the session laws of 1849, and section one of act No 197, entitled,

"An act to organize the Michigan State Agricultural Society," laws of 1849.

Referred to the committee on Agriculture and Manufactures.

By Mr. Shier: a request of Jonathan Young Berry, for the use of the Hall of Representatives, for a free lecture on the State Prison, to which all the members of both Houses are respectfully invited.

Which request was,

On motion of Mr. Strang,

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. McIntyre, from the committee on Banks and Incorporations, to whom was referred,

A bill entitled an act for the incorporation of Charitable Societies."

Reported the same back to the House with an amendment, and recommended that the bill as amended, do pass.

Which report was accepted, committee discharged, amendment concurred in, and the bill as amended, laid on the table and ordered printed.

Mr. Littlejohn, from the committee on State Affairs, submitted the following report:

The committee on State Affairs, to whom was referred the joint resolution from the Senate, relative to the claim of Jonas H. Titus, have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, recommending its passage, and ask that said committee be discharged from its further consideration.

F. J. LITTLEJOHN,

Chairman.

Which report was accepted, the committee discharged, and the bill ordered to be engrossed and read a third time.

On motion of Mr. Church,

The rules were suspended, the bill was read a third time, and passed as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashman, | Mr. Hathaway, | Mr. N. Power, |
| Barclay, | Hurd, | P. Power, |
| Beebe, | Ives, | Ralph, |
| Beecher, | Judd, | Reynolds, |
| Brown, | King, | Ross, |
| Brownell, | Kirkland, | Sanborn, |
| Cady, | Lapham, | St. Aubin, |
| Chamberlin, | Littlejohn, | Sherman, |
| Chapel, | Lomison, | Smith, |
| Chatfield, | Lovell, | Stout, |
| Church, | Luca, | Strang, |
| J. Divine, | McIntyre, | Sutherland, |
| R. K. Divine, | Miller, | Tiffany, |
| Dunakin, | Mills, | Tompkins, |
| Duncan, | D. N. Montague, | Ward, |
| DuPuy, | H. Montague, | Wells, |
| Eddy, | Moorman, | Wendell, |
| Edwards, | Mussey, | White, |
| Enos, | Noble, | Whitmore, |
| Fitch, | Parker, | Wilbur, |
| Gilman, | Parsons, | Williams, |
| Hall, | Pettit, | Speaker, |

NAYS.

Mr. Atwood,
Ewell,Mr. Gregory,
Hixon,Mr. Middlesworth,
Shier.

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Pending the call of the yeas and nays,

Mr. Atwood asked to be excused from voting, which request was not granted.

The following documents accompanied the joint resolution, relative to the claim of Jonas H. Titus, sent down from the Senate:

OFFICE OF SECRETARY OF STATE, }
Lansing, January 5, 1855. }

Jonas H. Titus, Esq., was appointed by his Excellency, Andrew Parsons, Commissioner from the State of Michigan, to the exhibition of Industry of all Nations, at New York, August 23, 1853.

R. R. GIBSON,
Dep. Secretary of State.

I hereby certify that I expended forty-two days' time, as Commissioner of the State of Michigan, to the Exhibition of Industry of all Nations, at New York, in the year 1853, and that I have received no compensation for said services.

J. H. TITUS.

Mr. Cady, chairman of the committee on Rules and Joint Rules, submitted the following report:

The committee on Rules and Joint Rules have had under consideration the following resolution: "*Resolved*, That this House do adopt the rules of the last House of Representatives (as contained in the Manual thereof) as the permanent rules of this House," referred to them by the House, and have instructed me to report thereon: that, according to the tenor of the said resolution, they recommend the adoption of the rules of the last House of Representatives as the rules of this House, with the following alteration of one of the present rules, and the addition of certain new rules:

First, They recommend the adoption of the following, to stand as rule No. 2:

"Rule 2. A majority of the members elected to the House shall constitute a quorum."

Second, They recommend the adoption of the following to stand as rule No. 5:

"*Rule 5.* The yeas and nays of the members of the House, on any question, shall be entered on the Journal, at the request of one-fifth of the members elected."

Third, They recommend the following additional rule to stand as rule No. 27:

"*Rule 27.* Every bill and joint resolution, reported by a committee, shall, unless the House otherwise direct, be printed, referred to the committee of the whole House, and placed on the general order."

Fourth, They recommend the following additional rule to stand as rule No. 30:

"*Rule 30.* No bill or joint resolution appropriating the public money or property for local or private purposes, shall be declared passed, unless on a vote of two-thirds of the members elected to the House."

They also recommend the amendment of the rule now numbered rule 25, but to be numbered, if the recommendations of this committee are adopted, as rule No. 28, so that the said rule shall read as follows:

"*Rule 28.* Every bill and joint resolution shall receive three several readings, previous to passage; the second and third readings shall be on different days; and the third reading shall be on a day subsequent to that on which said bill or joint resolution passed the committee of the whole House, unless the House, by a vote of two-thirds of the members present, shall direct otherwise."

And ask to be discharged from the further consideration of the subject.

C. T. CADY, *Ch'n.*

Which report was accepted, and laid on the table.

Mr. R. K. Divine, from the committee on Roads and Bridges, submitted the following report:

The committee on Roads and Bridges, to whom was referred the bill to provide for determining the legality of highways, have had the same under consideration, and report the same back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

R. K. DIVINE, *Ch'n.*

Which report was accepted, the committee discharged, and the bill,
On the motion of Mr. Parsons,

Laid on the table.

Mr. Wendell, from the committee on Towns and Counties, to whom was referred,

An act to take certain sections from the township of Ira, and attach the same to the township of Cottrellville; also, to take certain sections from the township of Ira, and attach the same to the township of Clay,

Reported the same back to the House without amendment, and recommended its passage.

Report accepted, committee discharged, and the bill laid on the table and ordered printed.

Mr. Stout, from the committee on Engrossment and Enrollment, submitted the following report:

The committee on Engrossment and Enrollment would respectfully report, that they have examined,

House bill No. 1, entitled, "a bill to enlarge the powers of School District No. 11, in the city and township of Ann Arbor, in the county of Washtenaw;" and

House bill No. 2, entitled a bill to amend sections thirteen and fifteen of an act entitled "an act relative to Free Schools in the city of Detroit," approved February 17th, 1842, and that the same have been correctly engrossed.

B. G. STOUT,

Chairman Committee Eng. and Enroll.

Which report was accepted, and the committee discharged.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following communication from the Attorney General:

ATTORNEY GENERAL'S OFFICE,
January 9th, 1855. }

To the Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of a copy of the resolution passed by the House of Representatives on the 8th instant, in the following words:

"Resolved, That the Attorney General be and he is hereby requested to report to this House, whether, in his opinion, the Legislature of this State can constitutionally authorize the Governor to appoint Circuit Court Commissioners except in cases of vacancy."

The office of Circuit Court Commissioner, appears to have been first created by Chapter 95, of the Revised Statutes of 1846, which authorized the Governor, by and with the advice and consent of the Senate, to appoint one in each county, who was to hold his office for the term of four years.

By the Act of April 2d, 1850, the Governor, with the like advice and consent, was authorized to appoint two such Commissioners for each county, each to hold his office for the term of four years. The powers conferred upon these officers are thus defined in the Revised Statutes:

"The Circuit Court Commissioners appointed and qualified according to law, shall severally be authorized and required to perform all the duties, and to execute every act, power and trust, which a Justice of the Supreme Court may perform and execute out of Court, and pursuant to the provisions of any statute, in all civil cases, except as herein otherwise provided."

By the Revised Constitution, (Art. 6, Sec. 5,) the office of Master in Chancery was prohibited, although it left all the equity powers of the courts unimpaired.

By the Act of March 10th, 1851, all the duties which had before that time been performed by Masters in Chancery, were imposed upon the Circuit Court Commissioners, with all such other powers as should be conferred upon them by the Circuit Courts.

The new Constitution, (Art. 6, Sec. 16,) declares that "the Legislature may provide by law for the election of one or more persons in each organized county, who may be vested with Judicial powers, not exceeding those of a Judge of the Circuit Court at Chambers."

The question submitted to me, is in effect, whether any power remains in the Legislature under the present Constitution, to confer upon any person other than one who has been *elected*, that portion of the judicial authority of the State, properly exercised by a Circuit Judge, at his Chambers. Strictly speaking, such functions pertain only to the common law duties of the Judge, and do not belong to the equity side of his Court. They do not, therefore, embrace the duties of a Master in Chancery. But it may be conceded that both classes of duties are intended to be embraced in the section cited, and yet the question propounded be satisfactorily answered in the affir-

mative. It is a well settled principle, that a State Legislature may exercise any power which is not prohibited by the Federal Constitution or the Constitution of the State. Where the grant is, generally, of legislative power, it certainly must be understood to embrace every power which is necessary to the well being of society; and the fact that limitations and restrictions are imposed upon it in the same instrument, shows that such is the understanding. It will of course be conceded, that before the new Constitution took effect, the power in question was undoubted, and that if it has been taken away from the Legislature, it is in virtue of this clause. Was such the intention of the framers of the instrument?

The language does not seem to me to import such an intention. It is permissive only. It authorizes the Legislature, if they shall see fit, to provide for the election of persons in each county, to perform the whole or a part of the functions belonging to a Circuit Judge at Chambers, and did not aim to disable the Legislature to confer similar powers upon person to be selected by the Governor, with the consent of the Senate.

The Constitution, neither in this or any clause, speaks of Circuit Court Commissioners by name. It plainly contemplates the persons to be elected, as officers of the Court, to whom the Act of March 10th, 1851, makes them responsible. They are not mentioned among the county officers, who are required to be chosen by the electors of the county once in two years. Nor is the term of their offices fixed by the Constitution, as is the case in respect to the Judges of the Circuit Court, Judges of Probate, and Justices of the Peace. There is no constitutional necessity for their existence, because the Judges themselves are primarily clothed with precisely the same powers. This shows that the clause in question is not mandatory upon the Legislature. Had they omitted to provide for an election, the people would not have been deprived of the benefit of the exercise of the same powers by the Judges, and there can be no doubt that the Revised Statutes, providing for the appointment of Circuit Court Commissioners, would in that event have remained in full force. It may be said that by providing that such persons may be elected, the Constitution intended to exclude all other modes of appointment. A restriction of the legislative authority, so vitally affecting the ad-

ministration of justice, divesting the legislative bodies of all power and discretion in the selection of agents who are to assist the courts in the dispatch of business, ought, it is submitted, to be expressed in clear terms, and not left to mere inference.

The Constitution provides that the Supreme Court may appoint a Reporter of its decisions. It can hardly be supposed that should the Court fail so to do, the Legislature is stripped of all authority to supply the defect.

It provides that the Board of Supervisors of each organized county may provide for laying out highways, constructing bridges, and organizing townships, under such restrictions and limitations as shall be provided by law.

Can it be said that the Legislature is deprived of the power of doing the same things—that the power of the Legislature on these subjects is forever gone from the two Houses, and nothing left them in any case but to restrict and limit the action of the Supervisors? Again, the Constitution provides that the Legislature may confer on organized townships, &c., such powers of a local, legislative, and administrative character, as they may deem proper.

Can it be held that the acts of these local authorities are irrevocable and unalterable by the Legislature? And yet it seems to me that the same rule of interpretation which would divest the Legislature of all power in selecting agents to assist the Courts in the administration of justice, would, in the cases referred to, lead to those untoward results.

The same instrument declares that aliens who are, or may hereafter become *bona fide* residents of this State, shall enjoy the same rights in respect to the possession, enjoyment and inheritance of property, as native born citizens.

Can it be pretended that this, too, is a restriction upon legislative power? If so, then it follows that no non-resident alien can, under the present Constitution, either hold or inherit property of any kind in this State; and that from the time the Constitution went into operation, the provisions of the revised statutes authorizing him to hold and inherit land, being repugnant to this clause of the Constitution, are repealed.

These instances are referred to as showing the great inconvenience, nay, the danger of such a rule of interpretation as converts terms which are merely permissive, directory or declaratory, into terms of limitation and restriction.

The clause in question has not, to my knowledge, ever received any judicial construction going to negative the proposition stated in the resolution.

The legislative interpretation has been the other way; for we find that at the next session of the Legislature, after the Constitution took effect, they passed an act authorizing the Governor, with the consent of the Senate, to appoint one additional Circuit Court Commissioner for the county of Wayne, to hold his office until January 1st, 1855. (act of April 7, 1851.) At the next regular session they passed a similar act. Upon a careful consideration of the Constitution, I am of opinion that the power of the Legislature over the appointment of Circuit Court Commissioners is not restricted, and that it is competent for them to provide for such appointment in any manner they may in their wisdom see fit to adopt.

I have the honor to be,

Yours respectfully,

J. M. HOWARD,

Attorney General.

Which communication was read, laid on the table and ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Sherman gave notice that he would at some future day ask leave to introduce,

A bill to set off range thirty-four west, from the county of Houghton, and attach the same to the county of Ontonagon.

The Speaker announced the following message from the Governor, the rules being suspended,

On motion of Mr. Fitch,

For the purpose of having it read:

To the Speaker of the House of Representatives:

In reply to the resolution which passed your honorable body, requesting the Governor to communicate to the House, what action has been had in the Executive Department in this State, under the act entitled

"an act to provide for the completion of the canal and locks around the rapids at Grand Rapids," approved April 7th, 1851, &c., I have the honor to state, that upon an examination of the records of the Executive Department by the Secretary of State, it does not appear that any action has been had by the Executive, having reference to the aforesaid act.

I have the honor to remain, your obedient servant.

KINSLEY S. BINGHAM.

Which was,

On motion of Mr. Church,

Laid on the table.

On motion of Mr. Wells, it was

Resolved, That a select committee of five be appointed by the Speaker, to whom be referred the report of the Board of State Auditors, presented to the present session of the Legislature, and that said committee be instructed to report whether any and what claims have been allowed by said Board against the State, contrary to law, and what further legislation is necessary on that subject.

Mr. Sanborn gave notice, that he would on some future day, ask leave to introduce,

A bill providing for the organization of companies with corporate rights, for the purpose of lumbering, log driving, and other purposes, upon the rivers and water courses in this State.

On motion of Mr. Parker, it was

Resolved, That the Judiciary committee be instructed to report a bill amendatory of any statute of the State of Michigan that may not now be in accordance with the provisions of article sixteen, and section five, of the revised Constitution of Michigan, permitting married women to devise or bequeath and alienate their property, as if they were unmarried.

Mr. Chapel gave notice that he would on some future day ask leave to introduce,

A bill to amend the charter of the Detroit, Romeo and Port Huron Railroad Company; also,

A bill to cancel a claim of the State against Chippewa county.

Mr. Luce offered the following resolution :

Resolved, That the committee on Banks and Incorporations be and are hereby instructed to prepare and present to this House, with all convenient dispatch, a bill to provide for a general railroad law.

Which was lost.

Mr. Church gave notice, that on some subsequent day, he should ask leave to introduce,

A bill to provide for the construction of a railroad to Lake Superior.

Mr. Beecher gave notice, that on some future day, he would ask leave to introduce,

A bill for an act to authorize the Michigan Southern Railroad Company, to consolidate with the Northern Indiana Railroad Company.

Mr. Stout gave notice, that on some future day, he should ask leave to introduce,

A bill to amend sections one and seven, and to repeal sections six, nine and ten, of chapter eighty-five, title twenty, of the revised statutes of 1846.

Mr. H. Montague, asked and obtained leave, in pursuance of previous notice, to introduce,

A bill to provide for costs in criminal cases before justices of the peace.

Which was read a first and second time and referred to the committee on the Judiciary.

Mr. Stout, pursuant to previous notice, asked and obtained leave to introduce,

A bill to amend an act entitled, "an act for the encouragement of agriculture, manufactures, and the mechanic arts," approved March 16, 1849.

Which was read a first and second time, and referred to the committee on Agriculture and Manufactures.

Mr. J. Divine gave notice, that on some future day he would ask leave to introduce,

A bill to amend the eighth subdivision of sec. 26, of chapter 126, of the Revised Statutes of 1846.

Mr. Lapham gave notice that he would on some future day ask leave to introduce,

A bill to amend section twenty-seven, chapter twenty-five, title six, of the Revised Statutes of 1846; also, the Session Laws of 1848, amendatory thereto.

• On motion of Mr. H. Montague, it was

Resolved, That two be added to the special committee on Asylums.

Under said resolution, the Speaker appointed Mr. H. Montague and Mr. Church.

On motion of Mr. Church,

House bills No. 3, 5, 6, 7 and 8, were taken from the table and placed on the general order.

Mr. McIntyre offered the following resolution:

Resolved; (the Senate concurring,) That the Rev. Doctor Tappan, President of the University of Michigan, who is now in town, be invited to address the members of the Legislature, and the friends of Education, in the Hall of this House, to-morrow evening, on the condition and affairs of the University, and on the subject of Education generally.

Mr. Sherman moved to strike out "Dr." and insert "Chancellor."

Which motion was afterwards withdrawn.

Mr. Church moved to strike out "invited," and insert "permitted."

Mr. Fitch offered the following as a substitute:

Resolved, That the use of this Hall be granted to Dr. Tappan, Chancellor of the Michigan University, for the purpose of delivering a public lecture, on such evening as he shall elect, on the subject of Education.

The substitute was accepted.

Mr. Beebe moved to amend the substitute by striking out "Chancellor," and inserting "President."

Which amendment was accepted, and the resolution, as amended, adopted.

On motion of Mr. Church,

The following resolution was taken from the table:

Resolved, That the Committee on Supplies and Expenditures be and are hereby instructed to fit up all rooms now vacant on the lower floor of this building, so as to be used as committee rooms for this House.

On motion of Mr. White,

The resolution was adopted.

THIRD READING OF BILLS.

A bill to enlarge the powers of School District number Eleven, in the city and township of Ann Arbor, in the county of Washtenaw.

Was read a third time, and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Pettit, |
| Ashmun, | Hall, | N. Power, |
| Barclay, | Hathaway, | P. Power, |
| Beebe, | Hixon, | Ralph, |
| Beecher, | Hurd, | Ross, |
| Brown, | Ives, | Sanborn, |
| Brownell, | Judd, | Sherman, |
| Cady, | Kirkland, | Shier, |
| Chamberlin, | Lapham, | Smith, |
| Chatfield, | Lomison, | Stout, |
| J. Divine, | Lovell, | Sutherland, |
| R. K. Divine, | Luce, | Tiffany, |
| Dunakin, | McIntyre, | Tompkins, |
| Duncan, | Middlesworth, | Ward, |
| DuPuy, | D. N. Montague. | Wells, |
| Eddy, | H. Montague, | White, |
| Edwards, | Moorman, | Whitmore, |
| Enos, | Mussey, | Williams, |
| Fitch, | Noble, | Speaker, |
| Gilman, | Parker, | |

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NAYS.

| | | |
|-------------|-----------------|-------------|
| Mr. Chapel, | Mr. Littlejohn, | Mr. Strang, |
| Church, | Parsons, | Wendell, |
| Ewell, | Reynolds, | Wilbar, |
| King, | St. Aubin, | |

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On motion of Mr. Sherman,

The act was ordered to take immediate effect, by a two-thirds vote.

A bill to amend sections thirteen and fifteen of an act entitled "an act relative to free schools in the city of Detroit," approved February 17, 1842,

Was read a third time, and was passed, as follows:

YEAS.

| | | |
|-------------|---------------|-------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Pettit, |
| Ashmun, | Hurd, | N. Power, |
| Barclay, | Ives, | P. Power, |
| Beebe, | Judd, | Ralph, |
| Beecher, | King, | Reynolds, |
| Brown, | Kirkland, | Ross, |
| Brownell, | Lapham, | Shier, |

Cady,
Chamberlin,
Chatsfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Fitch,
Gilman,
Gregory,

Hall,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

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NAYS.

Mr. Chapel,
Ewell,

Mr. Hixon,
D. N. Montague,

Mr. St. Aubin,

5

On motion of Mr. Wells,

The act was ordered to take effect immediately, by a two-thirds vote.

Mr. Church called for the reading of the journal of yesterday; whereupon,

The journal was read and corrected.

Mr. McIntyre moved that the Clerk be instructed to transmit to the Senate, the bills passed by the House; which motion was,

On motion of Mr. Strang,

Laid on the table.

On motion of Mr. Parker,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called.

Leave of absence was granted to Mr. Whitmore.

On motion of Mr. Littlejohn,

The House resolved itself into committee of the Whole, on the general order,

Mr. Littlejohn in the chair.

After spending some time thereon, the committee rose, and by their chairman, reported back to the House,

A bill supplementary to an act entitled "an act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes;" also,

A bill to provide for the collection of taxes in the town of Buena Vista, in the county of Saginaw, for the year eighteen hundred and fifty-four, and to extend the time for the collection thereof; also,

A bill to provide for the appointment of Circuit Court Commissioners in certain cases,

With amendments, in which the concurrence of the House was asked, and asked to be discharged from the further consideration thereof:

Also, that the committee had had under consideration,

A bill to organize the county of Gratiot,

And made some progress thereon, and asked leave to sit again.

The report was accepted, the committee discharged as to the first, second and third named bills, and leave granted to sit again upon the last named bill; when,

On motion of Mr. Church,

The House adjourned.

Lansing, January 11, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Penfield.

Roll called.

On motion of Mr. White,

Leave of absence was granted for Mr. D. N. Montague,

The reading of the journal was temporarily deferred.

PETITIONS.

By Mr. Church: a petition of J. Barasa, and 18 others, praying for a division of the township of Plainfield, in the county of Kent.

Referred to the committee on Towns and Counties.

By Mr. Williams: a petition of A. H. Matthews, and 48 others, asking an appropriation of funds arising from sale of swamp lands, for the establishment of an Institution of learning for the education of females; also,

A petition of J. Litchfield, and 25 others, for the same.

Which petitions were referred to the committee on Education.

By Mr. McIntyre, a petition of Wm. Burnett. and sundry other inhabitants of Washtenaw county, for the establishment of an Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. Ralph: a petition from Adam's Division, No. 48, of Sons of Temperance, asking the passage of a law prohibiting the sale of ardent spirits.

Also, a petition of A. Sharp and twenty-six others, for the same.

Referred to the select committee on the prohibitory liquor law.

By Mr. Moorman: of Jacobs, Gardner and others, for the passage of an act requiring the Board of Regents. of the University of Michigan, to create a Chair of Homœopathy, in the Medical Department of said University, and appoint a Professor thereto.

Referred to the committee on Education.

By Mr. White, of David C. Wattles and forty-five others, citizens of the county of Lapeer, praying for the organization of a township; also,

Of P. M. Erly and ten others, inhabiting town ten north, range ten east, praying to be attached to the county of Lapeer; Also,

Of Alvin Reynolds and six others, inhabiting the north half of town ten, north of range nine east, to be attached to the county of Lapeer.

Which were severally referred to the committee on Towns and Counties.

By Mr. Moorman: a petition of W. P. Patrick, asking for a reduction of certain fees of Circuit Court Commissioners.

Referred to the committee on the Judiciary.

REPORTS OF STANDING COMMITTEES.

Mr. Tiffany from the committee on the Judiciary, made the following report:

The committee on the Judiciary, to whom was referred the bill to define the manner in which the Homestead may be selected and designated, have had the same under consideration, and have instructed me to report the same back with a substitute therefor, of which they recommend the adoption, and also recommend that the bill thus amended, do pass.

A. R. TIFFANY,

Chairman.

Which report was accepted, the committee discharged, the substitute adopted, laid on the table and ordered printed.

Mr. Tiffany also submitted the following report:

The committee on the Judiciary, have instructed me to report the accompanying bill, relative to indictments, and that they recommend the passage of the same.

A. R. TIFFANY,

Chairman.

Which report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—The undersigned has the honor to submit the Report of the Trustees of the Asylums for the Insane, and for the Deaf and Dumb and the Blind, of the State of Michigan, with accompanying plans of the buildings.

Respectfully,

B. HUBBARD,

Clerk of Board.

Which was read by the Clerk, and laid upon the table, and 500 copies of the report ordered printed.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 10, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

A bill to provide for taking the census of Saginaw county; also

A bill to provide for the payment of the members and officers and incidental expenses of the Legislature.

Each of which the Senate have passed by a vote of two-thirds of all the Senators elect, and by a like vote have ordered each of the same to

take immediate effect; in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which was read by the Clerk; and

A bill to provide for taking the census of Saginaw county,

Was read a first and second time, and referred to the committee on State Affairs.

The bill to provide for the payment of the members and officers of the Legislature,

Was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White gave notice that he would on some future day ask leave to introduce,

A bill to organize the township of Clearfield, in Lapeer county.

Mr. Beecher asked and obtained leave to introduce,

A bill entitled an act to authorize the Michigan Southern Railroad Company to consolidate with the Northern Indiana Railroad Company,

Which was read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. Church, pursuant to previous notice, leave being granted, introduced,

A bill to provide for the construction of a railroad to Lake Superior,

Which was read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. Fitch moved to take from the table such bills as the House has ordered tabled and printed, place them on the general order, and refer them to the committee of the Whole.

Which motion prevailed.

Mr. Wells gave notice that on to-morrow, or some subsequent day, he would ask leave to introduce an act to amend section 2, 3, 19 and 21, of an act to provide for the formation of corporations for mining, and other purposes, approved February fifteen, 1853.

On motion of Mr. Wells it was,

Resolved, That the committee on the Judiciary, be directed to report an act to provide for the discharge upon its record of the Registers' of

fice, of mortgages which have been satisfied by decree, or sale in chancery, or by sale on advertisement, or by other order of judgment or decree of courts of record.

Mr. Beecher offered the following resolution;

Resolved, That the Principal of the Asylum for the deaf and dumb and the blind, be permitted to have the use of this Hall to-morrow evening, for the examination of some pupils.

Which was accompanied by the following invitation:

The members of the House of Representatives are respectfully invited to attend the examination of the pupils from the Asylum for the deaf and dumb, and the blind, to-morrow evening at half past six o'clock.

B. M. FAY,

January 11, 1854.

Principal.

Which was read, and the resolution adopted.

On motion of Mr. Beebe, it was

Resolved, That the Inspectors of the State Prison be requested to report to this House, at their earliest convenience, the situation of the Prison buildings, and whether any and what repairs are necessary on the same; what new buildings if any, are necessary for the safe keeping of the prisoners, and what number of new cells are required:

And that they also report what amount of appropriations will be necessary for the purposes above stated, if any.

Mr. Sherman, pursuant to previous notice, leave being granted, introduced,

A bill to provide for the improvement of the Ontonagon river.

The same was read a first and second time, and referred to the committee on Towns and Counties.

On motion of Mr. McIntyre, it was

Resolved, That the use of the Hall of this House be specially appropriated to the President of the University, who is now in town, on Saturday evening next, for the purpose of delivering a public address before such members of the Legislature and other persons as may choose to attend, on the condition and affairs of the University, and on the subject of education generally; and that he be invited to deliver such an address at that time, and that the Clerk transmit to him a copy of this resolution.

Mr. Littlejohn, pursuant to previous notice, leave being granted, introduced,

A bill to provide for the sale and reclaiming of swamp lands granted to this State, and for the disposition of the proceeds of such sale.

Which was read a first and second time, and

Referred to the committee on State Affairs.

Mr. Chamberlin gave notice, that on some future day, he would ask leave to introduce,

A bill to amend the General Plank Road Law.

Mr. Beecher offered the following resolution:

Resolved, (the Senate concurring,) that the Postmaster be and is hereby authorized to charge to the State, the postage on all mail matter received by members and officers of the Legislature.

Which was read a first and second time, when,

On motion of Mr. Beecher,

The rules being suspended by a vote of two-thirds of the members, the resolution was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Atwood, | Mr. Hall, | Mr. N. Power, |
| Ashmun, | Hathaway, | P. Power, |
| Barclay, | Hixon, | Ralph, |
| Beebe, | Hurd, | Reynolds, |
| Beecher, | Ives, | Ross, |
| Brown, | Judd, | Sanborn, |
| Brownell, | King, | St. Aubin, |
| Cady, | Lapham, | Shier, |
| Chamberlin, | Littlejohn, | Smith, |
| Chapel, | Lomison, | Stout, |
| Chatfield, | Lovell, | Strang, |
| Church, | Luca, | Sutherland, |
| J. Divine, | McIntyre, | Tiffany, |
| R. K. Divine, | Middlesworth, | Tompkins, |
| Dunakin, | Miller, | Ward, |
| Duncan, | Mills, | Wells, |
| DuPuy, | H. Montague, | Wendell, |
| Eddy, | Moorman, | White, |
| Edwards, | Mussey, | Whitmore, |
| Enos, | Noble, | Wilbur, |
| Fitch, | Parker, | Williams, |
| Gilman, | Parsons, | Speaker, |
| Gregory, | Pettit, | |

NAYS.

Mr. Kirkland,

Mr. Sherman,

2

On motion of Mr. Parsons,

The resolution was, by a two-third vote, ordered to take effect immediately.

Mr. Sherman, leave being granted, introduced,

A bill to amend an act entitled "an act to incorporate the Lake Superior Mining Company, of Eagle River."

Which was read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. Wells gave notice that on to-morrow, or some subsequent day, he would ask leave to introduce,

A bill to provide for the sale and reclaiming of swamp lands.

Mr. Lapham gave notice that he would on some future day ask leave to introduce,

A bill to amend section 47 of chapter 16, title 6, of the revised statutes of 1846; also,

A bill to amend section 47 of chapter 16, title 6, of the revised statutes of 1846.

Mr. Parker offered the following resolution:

Resolved, That the committee on the Judiciary be instructed to consider the propriety of amending sections 25 and 26 of chapter 153, and title 30, of the revised statutes of this State, relating to the protection of liberty and the punishment of kidnapping.

Mr. Fitch moved to lay it on the table.

Lost.

The resolution was then adopted.

On motion of Mr. Chapel, it was

Resolved, That the committee on Roads and Bridges be instructed to report to this House a bill so amending the General Plank Road Law, as to provide for gravel and plank roads.

On motion of Mr. Cady, it was

Resolved, That a committee of two be appointed by the Speaker, to act with a like committee on the part of the Senate, to prepare and report to the respective Houses of this Legislature, joint rules of the Senate and House of Representatives, and rules of the Senate and House of Representatives in joint convention.

The Speaker appointed Mr. Cady and Mr. Parsons said committee.

Mr. Parsons, pursuant to previous notice, leave being granted, introduced,

A bill authorizing the Detroit and Pontiac Railroad Company, and the Oakland and Ottawa Railroad Company to consolidate, so as to form a continuous line from Detroit to Lake Michigan.

Which bill was read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. Littlejohn moved to take from the table the joint resolution relative to printing the Legislative Manual, the same being No. 1, of the printed House resolutions.

The rules being suspended by a two-thirds vote, the same was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|---------------|-------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Pettit, |
| Ashmun, | Hall, | N. Power, |
| Barclay, | Hathaway, | P. Power, |
| Beebe, | Hixon, | Ralph, |
| Beecher, | Hurd, | Reynolds, |
| Brown, | Ives, | Ross, |
| Brownell, | Judd, | Sanborn, |
| Cady, | King, | St. Aubin, |
| Chamberlin, | Kirkland, | Sherman, |
| Chapel, | Lapham, | Shier, |
| Chatfield, | Littlejohn, | Stout, |
| Church, | Lomison, | Strang, |
| J. Divine, | Lovell, | Sutherland, |
| R. K. Divine, | McIntyre, | Tiffany, |
| Dunakin, | Middlesworth, | Tompkins, |
| Duncan, | Miller, | Ward, |
| DuPuy, | Mills, | Wells, |
| Eddy, | H. Montague, | Wendell, |
| Edwards, | Moorman, | White, |
| Enos, | Musey, | Whitmore, |
| Ewell, | Noble, | Wilbur, |
| Eitch, | Parker, | Williams, |
| Gilman, | Parsons, | Speaker, |

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0

On motion of Mr. Sanborn,

The same was ordered, by a two-thirds vote, to take immediate effect.

Mr. Sherman asked and obtained leave to introduce,

A bill to change the boundary of Houghton and Ontonagon counties.

Which was read a first and second time, and referred to the committee on Towns and Counties.

Mr. Strang gave notice, that, on some future day, he would ask leave to bring in,

A bill to provide for the construction of a road from the Muskegon River to the Straits of Michilimackinac; also,

A bill to provide for the construction of a road from Saginaw to the Straits of Michilimackinac; also,

A bill to provide for the construction of a road from the Straits of Michilimackinac to Saut Ste Marie.

Mr. Montague, pursuant to previous notice, leave being granted, introduced,

A bill to amend the garnishee laws.

Which was read a first and second time, and referred to the committee on the Judiciary.

On motion of Mr. Church,

The report of the committee on Rules and Joint Rules was taken from the table.

The question being on concurring in the recommendations of the report,

On motion of Mr. McIntyre,

The words "by a majority vote," were inserted after the word "direct," and before the word "be," in rule 27.

Mr. Parsons moved to amend by striking out the word "printed," in the same.

Lost.

The rule as amended, was then adopted.

Mr. Parsons moved that the committee have the right to divide rule 28.

Carried.

The report of the committee as amended, was then adopted.

Mr. Ashmun gave notice that on some future day he would ask leave to introduce,

A bill for the construction of a road from Saginaw to Grand Traverse Bay.

On motion of Mr. Church,

The report of the committee of the Whole was taken from the table.

Mr. Littlejohn moved that the amendments made in committee be concurred in, in gross.

Lost.

Mr. Sanborn moved that the amendments be taken up, and considered *seriatim*.

Carried.

The amendments made in committee of the Whole, were in part concurred in, and in part non-concurred in, and the bills as amended, ordered to be engrossed for a third reading.

On motion,

The House adjourned till to-morrow morning, at 9 o'clock.

Lansing, January 12, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Wood.

Roll called.

Leave of absence was granted to Mr. Wells, until Monday.

Reading of the journal dispensed with.

PETITIONS.

By Mr. Williams: of C. G. Kellogg and 39 others; also of H. H. Noble, and 23 others, asking an appropriation of funds arising from sale of swamp lands, for the establishment of an institution for the education of females.

Referred to the committee on Education.

By the Speaker: of Emery Russel, and 31 others, inhabitants of the town of Odessa, Ionia county, asking the repeal of an act, so far as said town of Odessa is concerned, entitled "an act appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia," approved Feb. 14, 1853.

Referred to the committee on Towns and Counties.

By Mr. Shier: of C. D. Coon and 29 others, for a female institution of learning.

Referred to the committee on Education.

By Mr. Shier: a memorial of John D. Pierce and others, praying the appropriation of the proceeds of the swamp lands, for the endowment of a female college, and other educational purposes:

Which having been drawn by a lady, was, at his request, read, laid on the table and ordered printed.

By Mr. Ives: of Mrs. P. B. Beal and 37 others, asking an appropriation of funds arising from sales of swamp lands, for the establishment of an institution for the education of females.

Referred to the committee on Education.

By Mr. ———: of Alexander Warner and 40 others, asking for the repeal of the agricultural tax.

Referred to the committee on Agriculture and Manufactures.

By Mr. Hall: of Wm. Brooks and 191 others, citizens of Calhoun county, asking for the establishment of an Agricultural College.

Referred to the committee on Agriculture and Manufactures.

By Mr. Wendell: of N. B. Cowles and other inhabitants of Grand Traverse county, praying for concurrent jurisdiction on the waters of Grand Traverse Bay and Lake Michigan.

Referred to the committee on Towns and Counties.

REPORTS OF STANDING COMMITTEES.

Mr. Littlejohn, from the committee on State Affairs, to whom was referred the petition of B. Porter, asking for claims against the State, reported adverse to the prayer of the petitioner.

Which report was accepted, and the committee discharged; when,

On motion of Mr. Parsons,

The report was laid on the table and ordered printed.

Mr. Littlejohn, from the committee on State Affairs, to whom was referred a bill to provide for the sale and reclaiming of the swamp lands granted to this State, and for the disposition of the proceeds of such sale, reported that they had had the same under consideration, and had instructed their chairman to report the same back to the House without amendment, recommending that the same be printed and referred to the committee on Public Lands.

Which report was accepted, the committee discharged, and the bill ordered printed and referred to the committee on Public Lands.

Mr. Littlejohn, from the committee on State Affairs, to whom was re-

ferred the Senate bill to provide for taking the census of Saginaw county, report, that they have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, recommending its passage, and asking to be discharged from the further consideration thereof.

Which report was accepted, and the committee discharged, when,

On motion of Mr. Littlejohn,

The rule requiring engrossment, was suspended, and,

The bill was read a third time, and passed as follows:

YEAS.

| | | |
|---------------|-------------|---------------|
| Mr. Atwood, | Mr. Ewell, | Mr. N. Power, |
| Ashmun, | Gilman, | P. Power, |
| Barclay, | Hathaway, | Ralph, |
| Beebe, | Hixon, | Reynolds, |
| Beecher, | Ives, | Ross, |
| Brown, | King, | Sanborn, |
| Brownell, | Kirkland, | St. Aubin, |
| Cady, | Lapham, | Smith, |
| Chamberlin, | Littlejohn, | Stout, |
| Chapel, | Lomison, | Strang, |
| Chatfield, | Lovell, | Sutherland, |
| Church, | Luce, | Tiffany, |
| J. Divine, | McIntyre, | Tompkins, |
| R. K. Divine, | Mills, | Ward, |
| Dunakin, | Moorman, | Wendell, |
| Duncan, | Mussey, | White, |
| DuPuy, | Parker, | Whitmore, |
| Eddy, | Parsons, | Wilbur, |
| Edwards, | Pettit, | Speaker, |
| Enos, | | |

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NAYS.

| | | |
|------------|-----------------|------------------|
| Mr. Fitch, | Mr. Judd, | Mr. H. Montague, |
| Gregory, | Middlesworth, | Noble, |
| Hall, | Miller, | Shier, |
| Hurd, | D. N. Montague, | Williams, |

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On motion of Mr. Church,

The bill was ordered to take immediate effect.

Mr. White, from the committee on Towns and Counties, to whom was referred,

A bill to organize the county of Iosco,

Reported the same back to the House without amendment, and recommended its passage.

Report accepted, committee discharged, and the bill ordered printed and placed on the general order.

Mr. N. Power, from the committee on Agriculture and Manufactures, to whom was referred,

A bill to amend an act for the encouragement of agriculture, manufactures, and the mechanic arts, approved March 15, 1849,

Reported the same back to the House, and recommended its passage.

Report accepted, committee discharged, and the bill ordered printed and placed on the general order.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 11, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit Senate bill No. 4, being,

A bill to change the name of Elizabeth Alger; also, Senate bill No. 4, being,

A bill to change the name of Lucinda Bull, Alvah H. Bull, George W. Bull, Philo Bull, Ransom Bull, John Bull, Russel Bull, Hiram Bull, and Albert Bull,

Each of which passed the Senate by a majority vote of all the Senators elect, and were each ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

L. W. WILDER,

Secretary of Senate.

The message was laid on the table, and the bills transmitted, were read twice and referred to the committee on the Judiciary.

Also, the following message:

SENATE CHAMBER,
Lansing, January 11, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives, joint resolution of instruction to the Agent and Inspec-

tors of the State Prison, which the Senate have passed by a two-thirds vote, and respectfully ask the concurrence of the House therein.

Very respectfully,

I. W. WILDER,

Secretary of the Senate.

Which message was laid on the table, and the joint resolution referred to the committee on the State Prison.

Mr. Wendell gave notice that on some future day, he would introduce,

A bill for the construction of a road from Lansing to Old Fort Mackinaw, on the Straits of Michilimackinac, with branches to Saginaw, Grand and Little Traverse Bays; also,

A bill for the construction of a road from Point St. Ignace, on the Straits of Michilimackinac to the Sant Ste. Marie.

Mr. H. Montague, leave being granted, introduced,

A bill to add a new section to the garnishee law, giving jurisdiction to Circuit Courts.

Which was read a first and second time, and referred to the committee on the Judiciary.

Mr. Ralph gave notice, that he would ask leave, on some future day to introduce,

A bill to amend sections eight, twenty-eight, and thirty, of chapter 134; also, section twenty-five, of chapter 153, of the revised statutes.

Mr. Church offered the following resolution:

Resolved, That the committee on Public Lands be instructed to inquire into and report to this House as soon as practicable,

1st. Whether there has been any action had under the act entitled "an act to provide for the completion of the canal and locks around the rapids of Grand River, at Grand Rapids," approved April 7, 1851, and especially,

2d. Whether any Commissioner has been appointed and approved under said act.

3d. Whether such Commissioner, if appointed and approved, let or endeavored to let, a contract for the completion of said canal and locks, and the removal of the dam appurtenant thereto.

4th. Whether any work, and if so, what amount of work has been done by a contractor or contractors, engaged by such Commissioner.

5th. Whether the said canal, locks and appurtenances were completed in the manner prescribed by the aforesaid act, before the 1st day of January, in the year 1853.

6th. Whether (if the contract for the object aforesaid has remained unlet) the said dam has been taken down, and the obstructions interposed by said dam to the navigation of the said Grand River, removed.

7th. And what is shown or alleged to be the reason of the non-execution of the aforesaid act.

8th. And further, to report to this House the condition, probable value, and the most expedient disposition of the unexpended balance of the original appropriation of \$25,000 acres of land made in and by the aforesaid act.

9th. And that, for the purposes aforesaid, the said committee have power to send for persons and papers.

On motion of Mr. Church,

The resolution was laid on the table.

Mr. R. K. Divine gave notice that on some future day he would ask leave to introduce,

A bill to amend section nine of chapter twenty-five, title six of the revised statutes of 1846.

Mr. Barclay gave notice that on some future day he would ask leave to introduce,

A bill to organize the township of Pigeon River, in the county of Huron.

Mr. Strang gave notice, that on some future day he would ask leave to introduce

A bill to provide for draining the swamps at and near the sand flats of the Muskegon river.

Mr. H. Montague, leave being granted, introduced,

A bill to provide for jury trials in chancery.

Which bill was read a first and second time by its title, and referred to the committee on the Judiciary.

Also, a bill to amend the Dog Law.

Which was read a first and second time, and referred to the committee on the Judiciary.

Mr. Chapel, pursuant to previous notice, asked and obtained leave to introduce,

A bill to authorize the Auditor General to cancel the claim of the State for State tax against the county of Chippewa.

Which was read a first and second time, and referred to the committee on the Judiciary.

Mr. Church submitted the following resolution:

Resolved, That the use of this Hall be granted to the "Philbrick Family," on Monday evening next, for the purpose of giving a vocal concert.

Lost.

On motion of Mr. Littlejohn,

The Senate bill to provide for the payment of the members and officers, and incidental expenses of the Legislature,

Was taken from the table.

The rule requiring engrossment having been suspended by a two-thirds vote,

The bill was read a third time and passed as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brown,
Hall,
Brownell,
Cady,
Chamberlin,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Fitch,
Gilman,
Gregory,
Hall,

Mr. Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luca,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wendell,
White,
Whitmore,
Wilbur,
Speaker.

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Mr. Chapel,

Mr. Ewell,

2

On motion of Mr. Beecher,

The act was ordered to take effect immediately.

On motion of Mr. Fitch, it was,

Resolved, That the committee on Supplies and Expenditures be directed to furnish two pails, for water, and vessels for drinking, and place the same in each of the committee rooms at the south end of the hall, and that the firemen be, and are hereby instructed to keep a supply of fresh water on hand at all times, for the use of the members and officers of this House.

Mr. Stout, from the committee on Engrossment and Enrollment, made the following report:

The committee on Engrossment and Enrollment report, that they have examined House bill No. 3, entitled "a bill supplementary to an act entitled an act, to authorize the formation of corporations for mining, smelting, or manufacturing coal, silver, or other ores or minerals, and for other manufacturing purposes, and the same found correctly engrossed.

B. G. STOUT,

Chairman.

UNFINISHED BUSINESS.

The question being on concurring in the amendment made in committee of the Whole, to the bill to provide for the appointment of Circuit Court Commissioners in certain cases,

The same was concurred in, and the bill ordered to be engrossed and read a third time.

The House then resolved itself into committee of the Whole, upon the general order.

Mr. Littlejohn in the chair.

After spending some time thereon, the committee rose, and through their chairman, reported back to the House,

A bill to organize the county of Gratiot, with amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration of the same.

Report was accepted, committee discharged, and the amendments concurred in.

Mr. Pettit moved to amend section four, by striking out all after the word "located," in the first line, and insert "at or within one and a

half miles of the geographical centre of said county, the exact point to be selected by the Board of Supervisors of said county, within—— days."

Mr. Church moved to fill the blank with "thirty."

Mr. McIntyre, "ninety."

Mr. White, "one hundred and eighty."

Mr. Strang, "three hundred and sixty-five."

The question being upon filling the blank, Mr. McIntyre's motion prevailed; whereupon,

The House adjourned till to-morrow morning, at 9 o'clock.

Lansing, Saturday, January 13, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Donelson.

Roll called; a quorum present.

Mr. Beebe asked leave of absence for the Clerk, who was absent, until Monday.

Leave of absence was granted.

The journal not being on the members' tables, the reading was dispensed with until its arrival.

The Speaker announced the select committee on the report of the Board of State Auditors, Messrs. Wells, Beebe, Beecher, McIntyre and Mussey.

The Speaker announced the report of the Finance committee on the condition of the Detroit Savings Bank.

Laid on the table and ordered printed.

The Speaker also announced a memorial of the New York Institute. On motion of Mr. White,

It was referred to the committee on State Library.

PETITIONS.

By Mr. Williams: of S. Williams and 34 others, asking an appropriation of swamp lands for the education of females.

Referred to the committee on Education.

By Mr. Duncan: of H. Pennoyer and 18 others, asking for the establishment of an Agricultural School.

Referred to the committee on Agriculture.

By Mr. McIntyre: of S. P. Jewett and 359 others, that a fund be set apart from the sales of the swamp lands for the establishment of an Institution affording opportunities for the education of the daughters of Michigan, equal to those so nobly and freely offered to its sons by the University.

Referred to the committee on Education.

Mr. Sherman presented the petitions of John Muloney and 100 others, for the extension of time for the collection of taxes in the county of Ontonagon.

Referred to the committee on Towns and Counties.

By Mr. Judd: the petition of Oliver Streeter and 18 others, asking the passage of a law prohibiting the manufacture and sale of intoxicating liquors.

Referred to the select committee on the Prohibitory Liquor Law.

The journal having arrived, was on motion, read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

Mr. McIntyre, from the committee on Banks and Incorporations, to whom was referred the bill entitled an act to amend an act to incorporate the Port Huron and Lake Michigan Rail Road Company, reported that the committee had had the same under consideration, and made sundry amendments, and requested that the bill and amendments be referred to the committee on the Judiciary.

Mr. Littlejohn moved that the bill and amendments be ordered printed, and referred to the committee on the Judiciary.

Carried.

Mr. White, from the committee on Towns and Counties, to which was referred the bill to provide for the improvement of the mouth of the Ontonagon river,

Reported the same back to the House, without amendment, recommended its passage, and asked to be discharged from the further consideration of said bill.

Report accepted and the committee discharged.

Mr. Miller, in pursuance of previous notice, introduced,

A bill to provide for laying out private roads.

Referred to the committee on Roads and Bridges.

Mr. Stout, from the committee on Engrossment, reported as correctly engrossed, House bill No. 5, entitled

A bill to provide for the collection of taxes in the township of Buena Vista, in the county of Saginaw, for the year 1854, and to extend the time for the collection thereof.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, January 12, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to transmit to the House, the accompanying resolution, which the Senate has this day adopted, and respectfully ask the concurrence of the House therein.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Resolved, That a committee of two be appointed by the President, to act with a like committee on the part of the House, to prepare and report to the respective Houses of this Legislature, joint rules of the Senate and House of Representatives, and rules of the Senate and House of Representatives in joint convention.

Laid on the table.

Also the following:

SENATE CHAMBER,
Lansing, January 12, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House, "joint resolution relating to postage on mail matter received by members and officers of the Legislature," in which the Senate have concurred by a vote of a majority of all the Senators elect. And also "a bill to enlarge the powers of school district number eleven, in the city and township of Ann Arbor, in the county of Washtenaw," in which the Senate have concurred, by a majority vote, and also ordered to take immediate effect, by a majority of two-thirds of all the Senators elect. I also trans-

mit a bill to amend sections twenty five of an act entitled "an act to authorize proceedings against garnishees, and for other purposes," approved March 28, 1849, which the Senate have passed by a vote of a majority of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which bill was read a first and second time, and referred to the committee on the Judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Parsons offered the following resolution:

Resolved, That the committee on State Prison, heretofore on the 8th inst., instructed by resolution of this House, to inquire and report whether any coin has been counterfeited within the walls of the State Prison, at Jackson, &c., be now instructed to proceed at their earliest convenience, to the State Prison, at Jackson, and that they be authorized to send for such persons and papers as they may desire to aid them in their investigation, and that the committee also investigate the affairs of the Prison generally, and report to this House with convenient speed, what has been the State of government of the prison, and discipline of the convicts, and whether the prison has been, or is kept cleanly and in good order, and such other facts as the committee may deem proper, and whether in their opinion further legislation is requisite for a better or more economical administration of the affairs of the prison, and if so, what legislation;]

Which was adopted.

Mr. Fitch moved that the Speaker of the House add two additional members to the committee on the State Prison.

Lost.

Mr. Sherman gave notice that he should move to reconsider the motion just lost.

Mr. Sherman moved to recommit the supplementary bill to the general mining law, with instruction to add a new section, and make the amount of shares to correspond with the capital, with instructions to report immediately.

Adopted.

Mr. H. Montague gave notice, that on some future day he would ask leave to introduce,

A bill to amend sections 25 and 26, of chapter eighty-five, of the revised statutes.

Mr. Strang gave notice, that on some future day he would ask leave to introduce,

A bill to provide for the opening of a highway across the Upper Peninsula from Marquette, on Lake Superior, to Bay De Noquet, and from Copper Harbor to the forks of the Ontonagon, and thence to the Wisconsin State line; also,

A bill to provide for the construction of a road from Lake Michigan to Lake Superior.

Mr. Strang, pursuant to previous notice, asked leave to introduce,

A bill to provide for the construction of a road from Muskegon River to the Straits of Michilimackinac.

Leave being granted,

The bill was introduced, read twice, and referred to the committee on Public Lands.

Mr. Barclay gave notice that on some future day he should ask leave to introduce,

A bill to organize the township of Pine River, in the county of Arenac.

Mr. Wendell offered the following resolution:

Resolved, That the committee on Roads and Bridges, be instructed to inquire into the propriety of appropriating a certain sum of money, or in lieu thereof a portion of the State swamp lands, for the construction of a road from Lansing to old Fort Mackinaw, and branches to Saginaw and Grand and Little Traverse Bays, and likewise the road from Point St. Ignace, on the Straits of Mackinaw to the Saut Ste. Marie.

Adopted.

Mr. McIntyre moved to reconsider the vote ordering the bill on the Port Huron and Lake Michigan Railroad Company, and amendments thereto, to be printed and referred to the committee on the Judiciary.

Carried.

Mr. Church moved to amend by adding with instructions to inquire into the constitutionality of said bill and amendments.

Motion so amended, prevailed.

Mr. Brown, pursuant to notice heretofore given, asked for leave to introduce,

A bill to amend Sec. 18, of the act entitled "an act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved February 14, 1853.

Leave being granted,

The bill was introduced, read a first and second time, and referred to the committee on Roads and Bridges.

Mr. Middlesworth, pursuant to notice heretofore given, asked leave to introduce,

A bill to amend certain sections of chapter twenty-four, of title six of the revised statutes.

Leave being granted, the bill was introduced, read a first and second time, and referred to the committee on Roads and Bridges.

Mr. R. K. Divine, pursuant to previous notice, asked leave to introduce the following bill:

A bill to amend section 9, chapter twenty-five, title six of the revised statutes of 1846.

Read a first and second time, and referred to the committee on Roads and Bridges.

Mr. Church offered the following resolution:

Resolved, That the committee on Printing be requested to make such arrangements with the State printer that a copy of each bill and joint resolution ordered printed by the Senate, shall be furnished to the members and officers of this House.

Adopted.

Mr. Sherman, from the committee to which was referred the supplemental bill to the general mining laws, reported that the committee had made the amendments required by their instructions, and report the same back and asked to be discharged therefrom.

Report accepted and the committee discharged.

On motion,

The amendments were concurred in.

Mr. Littlejohn moved to suspend so much of the rules as required this bill to be re-engrossed.

Withdrawn.

THIRD READING OF BILLS.

House bill No. 3, being

A bill supplementary to an act entitled "an act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes,"

Was read a third time and passed, by the following vote:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Pettit, |
| Ashmun, | Hixon, | N. Power, |
| Barclay, | Hurd, | P. Power, |
| Beebe, | Ives, | Ralph, |
| Beecher, | Judd, | Reynolds, |
| Brown, | King, | Ross, |
| Cady, | Kirkland, | Sanborn, |
| Chamberlin, | Lapham, | St. Aubin, |
| Chapel, | Littlejohn, | Sherman, |
| Church, | Lomison, | Shier, |
| J. Divine, | Lovell, | Smith, |
| R. K. Divine, | Luce, | Stout, |
| Dunakin, | McIntyre, | Strang, |
| Duncan, | Middleworth, | Sutherland, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | Mills, | Tompkins, |
| Edward, | D. N. Montague, | Ward, |
| Enos, | H. Montague, | Wendell, |
| Ewell, | Moorman, | White, |
| Fitch, | Musey, | Whitmore, |
| Gilman, | Noble, | Wilbur, |
| Gregory, | Parker, | Williams, |
| Hall, | Parsons, | Speaker. |

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NAYS.

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Mr. Church moved to amend the title by adding thereto the words, "approved Feb. 5, 1853."

Carried.

On motion,

Said bill was ordered to take immediate effect, by a vote of two-thirds of the members elect,

Mr. Stout, from the committee on Engrossment and Enrollment, reported as correctly engrossed, House bill No. 6, entitled,

A bill to provide for the appointment of Circuit Court Commissioners, in certain cases.

The bill to provide for the collection of taxes in the township of Buena Vista, in the county of Saginaw, for the year 1854, and to extend the time time for the collection thereof, was read a third time, and passed by the following vote:

YEAS.

| | | |
|---------------|---------------|-------------|
| Mr. Atwood, | Mt. Ewell, | Mr. Parker, |
| Ashmun, | Fitch, | Pettit, |
| Barclay, | Gilman, | N. Power, |
| Beebe, | Hathaway, | Ralph, |
| Beecher, | Hurd, | Reynolds, |
| Brown, | Ives, | Ross, |
| Brownell, | Judd, | Sanborn, |
| Cady, | King, | Sherman, |
| Chamberlin, | Kirkland, | Shier, |
| Chapel, | Lapham, | Smith, |
| Church, | Lomison, | Sutherland, |
| J. Divine, | Lovell, | Tiffany, |
| R. K. Divine, | Luce, | Tompkins, |
| Dunakin, | McIntyre, | Ward, |
| Duncan, | Middlesworth, | Wendell, |
| DuPuy, | Mills, | White, |
| Eddy, | H. Montague, | Whitmore, |
| Edwards, | Moorman, | Williams, |
| Enos, | Mussey, | Speaker. |

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NAYS.

| | | |
|--------------|-----------------|---------------|
| Mr. Gregory, | Mr. Miller, | Mr. P. Power, |
| Hall, | D. N. Montague, | St. Aubin, |
| Hixon, | Noble, | Stout, |
| Littlejohn, | Parsons, | Strang, |

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On motion of Mr. Ashmun,

The bill was ordered to take immediate effect, by a vote of two-thirds of the members elect.

House bill, No. 6, entitled, "a bill to provide for the appointment of Circuit Court Commissioners in certain cases," was read a third time, and passed by the following vote:

YEAS.

| | | |
|-------------|---------------|-------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Pettit, |
| Ashmun, | Hixon, | N. Power, |
| Barclay, | Hurd, | P. Power, |
| Beebe, | Ives, | Ralph, |
| Beecher, | Judd, | Reynolds, |
| Brown, | King, | Ross, |
| Brownell, | Kirkland, | Sanborn, |
| Chamberlin, | Lapham, | St. Aubin, |

| | | |
|---------------|-----------------|-------------|
| Chapel, | Littlejohn, | Sherman, |
| Church, | Lomison, | Shier, |
| J. Divine, | Lovell, | Smith, |
| R. K. Divine, | Luce, | Stout, |
| Dunakin, | McIntyre, | Strang, |
| Duncan, | Middlesworth, | Sutherland, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | Mills, | Tompkins, |
| Edwards, | D. N. Montague, | Ward, |
| Enos, | H. Montague, | Wendell, |
| Ewell, | Moorman, | White, |
| Fitch, | Mussey, | Whitmore, |
| Gilman, | Noble, | Williams, |
| Gregory, | Parker, | Speaker, |
| Hall, | Parsons, | |

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NAYS.

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Mr. Parsons moved to amend the title by striking out "certain cases," and inserting "cases of vacancy."

Carried.

Mr. Littlejohn moved that this bill take effect immediately.

Carried by a vote of two-thirds of the members elected.

UNFINISHED BUSINESS OF THE PRECEDING DAY.

The House resumed the consideration of the bill to organize the county of Gratiot, being the unfinished business of yesterday.

The vote being taken upon the pending amendment of Mr. Pettit, the same was lost.

Mr. McIntyre moved to strike out section four and insert the following substitute:

Sec. 4. The Sheriff, County Clerk, and County Treasurer of said County, to be elected as provided for in this act, shall designate a suitable place in the township of Pine River for holding the Circuit Court in said county; they shall also designate suitable places in the same township, (as near as practicable to the place designated by them for holding the Circuit Court in said county,) for holding the offices of the Sheriff, County Clerk, County Treasurer, Register of Deeds, and Judge of Probate, of said county, until the county seat for said county shall be established, and shall make and subscribe a certificate in writing, describing the place thus designated, which certificate shall be filed and safely preserved by the county Clerk; and after such certificate shall be thus filed, the places thus designated shall be the places of holding the Circuit Court and county offices, until the board of supervisors shall estab-

lish the county seat of said county, and until suitable accommodations shall be provided for said Court and county offices at the county seat; and it is hereby made the duty of the board of supervisors of said county, on or after the year one thousand eight hundred and sixty, to designate and establish the county seat of said county.

Mr. Tiffany moved to amend the substitute by striking out, "in or after the year 1860."

Pending which,

Mr. Chamberlin moved that the House adjourn.

Lost.

On motion,

The rule was suspended, to enable Mr. Mills to move an addition to the select committee on the State Prison.

Mr. Mills moved to add two members to said committee.

Mr. Fitch rose to a point of order:

The Speaker decided the motion of Mr. Mills out of order.

Mr. Beecher moved that the House do now adjourn till Monday morning at 9 o'clock.

Carried.

The Speaker accordingly announced the House adjourned.

Lansing, January 14, 1855.

Roll called; a quorum present.

Prayer by the Rev. Mr. Donelson.

Absent, Atwood, Gregory, Ives, Noble, N. Power, Sherman, Wells, Wilbur.

On motion of Mr. Beecher,

Leave of absence was granted to Mr. Tiffany for the day, on account of sickness.

PETITIONS.

By Mr. McIntyre: a petition of D. J. Campau, and 118 others, for the creation of a chair of homeopathy in the medical department of the University, and the appointment of a professor thereto.

Referred to the committee on Education.

Also, a petition of D. B. Greene, and 45 others, for the same purpose.

Referred to the committee on Education.

Mr. Hixon presented the petition of F. M. Palmer and others, for an appropriation of swamp lands, for female education.

Referred to the committee on Education.

By Mr. Edwards: of Mr. Jacquitt and 47 others, for the same purpose.

Also, by Mr. Beecher: of Dr. P. J. Spalding, and 50 others, for the same purpose.

Also, by Mr. Shier: petition of Mary Jewett and 88 others, for the same purpose.

Which were severally referred to the committee on Education.

By Mr. Williams: petition of A. Gray and 47 others, citizens of Dexter, asking to be incorporated into a village or town corporate, by the name of the village of Dexter.

Referred to the committee on Banks and Incorporations.

By Mr. Wendell: the petition of Simon Allaird and 45 other inhabitants of the islands of Mackinaw and Bois Blanc, praying the Legislature to use its influence to have certain military reserves, thrown into market.

Referred to the committee on Federal Relations.

By Mr R. K. Divine: the petition of Stephen Roesman and 87 others, inhabitants of the county of Montcalm, for the establishment of a State road from Greenville to the rapids of the Muskegon river.

Referred to the committee on Roads and Bridges.

By Mr. Parsons: petition of J. B. Barnes and 20 others, of Shiawassee county, for an appropriation for the establishment of an Agricultural School; also,

Of Apollo Dewey and 18 others, of Shiawassee, for the same purpose.

Which were severally referred to the committee on Agriculture and Manufactures.

REPORTS OF STANDING COMMITTEES.

Mr. White, from the committee on Towns and Counties, to whom was referred,

A bill to organize the township of Forrest, in the county of Sanilac,

Beg leave to report that they have had the same under consideration and it appearing that there is a town by the name of Forrest, in the county of Genesee, report the bill back to the House with an amend-

ment, and recommend that the bill as amended do pass, and the committee discharged from the further consideration of the subject.

Report accepted, with amendments, the committee discharged, report, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. White, chairman of the committee on Towns and Counties, to whom was referred the petition of J. F. Maloney and others, inhabitants of the township of Ontonagon, in the county of Ontonagon, praying that the time for the collection and return of taxes be extended for the year 1854, beg leave to report that your committee have had the subject of the said petitioners under consideration, and have instructed their chairman to report a bill to the House, in accordance with the prayer of said petitioners, and recommend that it be passed, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, bill ordered printed and placed on the general order.

Mr. White, from the committee on Towns and Counties, to whom was referred,

A bill to change the boundary line of Houghton and Ontonagon counties, ask leave to report that the committee have had the subject under consideration, and report the same back to the House without amendment, and recommend that the bill do pass, and ask that the committee be discharged from the further consideration of the subject.

Report and amendments accepted, committee discharged, bill ordered printed, referred to the committee of the Whole, and placed on the general order.

The same committee, to whom was referred the petition of N. B. Cowles and others, inhabitants of the county of Grand Traverse, praying that concurrent jurisdiction on the waters of Lake Michigan and Grand Traverse Bay be extended to the county of Grand Traverse, with the counties contiguous thereto, also beg leave to report, that they have had the subject of the petition under consideration, and have instructed their chairman to report a bill to the House in accordance with the prayer of the petitioners, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, bill ordered printed, referred to committee of the Whole and placed on the general order.

The same committee, to whom was referred,

A bill to enlarge the county of Grand Traverse,

Beg leave to report that they have had the said bill under consideration, and have instructed their chairman to report adversely thereto, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill laid on the table.

The committee on Towns and Counties, to whom was referred the petition of Emery Russel and 31 others, of Odessa, Ionia county, reported back said petition, recommending its reference to the committee on Roads and Bridges.

Petition so referred.

R. K. Divine, from the committee on Roads and Bridges, submitted the following report:

The committee on Roads and Bridges, to whom was referred the bill to amend section nine of chapter twenty-five, title six of revised statutes of 1846, have had the same under consideration, and report the same back to the House, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, bill ordered printed, referred to committee of the Whole, and placed on the general order.

Mr. Powers, from the special committee, to whom was referred the bill to prevent the manufacture and sale of intoxicating drinks, also so much of the Governor's and late Governor's messages as relate to the subject of ardent spirits, and also various petitions praying for the passage of a prohibitory liquor law, report that they have had the bill under their careful consideration, to which they have made sundry amendments, in which they ask the concurrence of the House, and ask to be discharged from the further consideration of the subject.

Report accepted, and the bill and amendments re-committed to the committee, with instructions to report according to the rules.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mills, from the committee on State Prison, reported a joint resolution from the Senate, as follows:

JOINT RESOLUTION of instruction to the Agent and Inspectors of the State Prison.

Resolved, by the Senate and House of Representatives of the State of Michigan, (the House concurring,) That the Agent and Inspectors of the State Prison be instructed to carefully and promptly investigate the financial situation, management, and all other matters relative to that institution which may claim the attention of the Legislature, and report the same without delay, and the Secretary of the Senate be requested to furnish William Hammond, the Agent, and each of the Inspectors severally with a copy of this resolution.

Which was laid on the table.

Mr. Parker offered the following resolutions:

Resolved, That the exclusion of the female sex of our State from the benefits of a liberal education in the State University, which is created and endowed by the common treasury, is unjust, and furnishes just occasion of complaint on their part, and abundantly authorizes the numerous petitions now before this House, calling for large expenditures to erect a separate college for their education.

Resolved, That the committee on Education be instructed to inquire into the expediency of providing by law, for the education of youth without distinction of sex in the State University.

Which resolutions were adopted.

Mr. Mussey, pursuant to previous notice, asked leave to introduce,

A bill to restore certain forfeited rights to certain purchasers of Primary School lands.

Leave granted, bill read a first and second time, and referred to the committee on Public Lands.

Mr. Stout offered the following:

Resolved, That the committee on Agriculture and Manufactures be instructed to bring in a bill for the incorporation of County Agricultural Societies.

Mr. Strang, pursuant to previous notice, asked leave to introduce,

A bill to provide for the opening of a highway across the Upper Peninsula, from Marquette, on Lake Superior, to Bay de Noquet, and from Copper Harbor to the forks of the Ontonagon, and thence to the Wisconsin State Line.

Leave being granted, the bill was introduced, read a first and second time, and referred to the committee on Roads and Bridges.

Mr. Lapham gave notice that he would on some future day ask leave to introduce,

A bill to lay out a State road, commencing in a State road running from Grand Rapids to Greenville, in the county of Kent, thence north to Big Rapids, on Muskegon river, in the county of Mecosta.

Mr. Sherman gave notice that he would on some future day ask leave to introduce,

A bill for a grant of swamp lands to the counties of Ontonagon, Houghton and Marquette, for the purposes of improving harbors, educational, and other purposes.

Mr. Edwards gave notice, that on some future day he would ask leave to introduce,

A bill to incorporate the village of Trenton, in the county of Wayne.

Mr. Williams gave notice that on some future day he would ask leave to introduce,

A bill to incorporate the village of Dexter, in the county of Washtenaw.

Mr. Mills moved to reconsider the vote adopting the resolution offered by Mr. Parsons, on Saturday last, instructing the special committee to visit the State Prison.

Mr. Church made a point of order that the motion to reconsider was not made within the time fixed by the rules of the House. The chair ruled that the motion was in order; as this day was the second day of actual session, although the third day, in division of time.

The motion was withdrawn.

Mr. Chapel gave notice that on some future day, he would ask leave to introduce,

A joint resolution relative to the claim of the Sault Ste Marie Plank Road Company.

On motion of Mr. Chapel,

Resolved, That the Judiciary committee be instructed to inquire into the propriety of adding the following amendment to section 61, of chapter 95, of the revised statutes—to come in at the end of said section:

And provided further, That in all actions hereafter commenced, or made returnable after the first day of November, in that part of the State called the Upper Peninsula, the same may, upon like satisfactory

cause being made to appear therefor, be adjourned until the fifteenth day of May, then next following.

Mr. Sherman moved that the vote of Saturday, by which the motion made by Mr. Fitch, to add two to the committee to investigate the State Prison affairs was lost, be reconsidered.

Which motion was lost by the following vote:

YEAS.

| | | |
|-------------|-------------|--------------|
| Mr. Ashmun, | Mr. Fitch, | Mr. Parsons, |
| Barclay, | Hathaway, | Reynolds, |
| Chamberlin, | Hixon, | Ross, |
| Chapel, | Ives, | St. Aubin, |
| Chaifield, | Kirkland, | Sherman, |
| Church, | Littlejohn, | Strang, |
| J. Divine, | McIntyre, | Sutherland, |
| Duncan, | Miller, | Wendell, |
| Edwards, | Moorman, | White, |
| Ewell, | | |

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NAYS.

| | | |
|---------------|-----------------|---------------|
| Mr. Beebe, | Mr. Judd, | Mr. N. Power, |
| Beecher, | King, | P. Power, |
| Brown, | Lapham, | Ralph, |
| Brownell, | Lomison, | Sanborn, |
| Cady, | Lovell, | Shier, |
| R. K. Divine, | Luce, | Smith, |
| Dunakin, | Middlesworth, | Stout, |
| DuPuy, | Mills, | Tompkins, |
| Eddy, | D. N. Montague, | Ward, |
| Enos, | H. Montague, | Wells, |
| Gilman, | Mussey, | Whitmore, |
| Gregory, | Noble, | Williams, |
| Hall, | Parker, | Speaker, |
| Hurd, | Pettit, | |

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Mr. H. Montague moved that the House now take from the table, the joint resolution relative to inquiry into the affairs of the State Prison, reported back from the committee on the State Prison.

Carried.

The joint resolution was then taken from the table, and read a first and second time.

Mr. Fitch moved that the resolution be laid on the table and ordered printed.

Lost.

Mr. McIntyre moved to suspend the rule requiring the second and third reading to be on different days:

Which motion prevailed.

When, on motion, the resolution was concurred in.

In pursuance of previous notice, Mr. Stout introduced,

A bill to amend sections one and seven, and to repeal sections six, nine, and ten, of chapter eighty-five, title twenty, of the revised statutes of 1846.

Read a first and second time, and referred to the committee on the Judiciary.

Mr. Gregory moved that the vote by which the report and bill of the special committee on a prohibitory liquor law, was re-committed, with instructions, be re-considered.

Which motion prevailed.

Mr. Littlejohn moved to amend the motion by striking out so much as relates to instructions.

Amendment accepted.

The vote recurred on the motion to re-commit, as amended.

Which was then lost.

Mr. Sanborn moved to re-consider the vote by which the motion to re-commit, was lost.

Carried.

The vote recurring on the motion to re-commit, prevailed.

On motion of Mr. Williams,

Resolved, That the committee on Education be instructed to present a bill providing for and establishing a system of primary schools, whereby a school shall be kept without charge for tuition three months in each year, in every school district in the State.

Mr. Ralph, in pursuance of previous notice, asked leave to present,

A bill to amend section 25 of chapter 153, of the revised statutes of 1846; also,

A bill to amend sections 8, 28, and 30 of chapter 134 of the revised statutes of 1846.

Which, leave being granted, were introduced, and severally referred to the committee on the Judiciary.

On motion of Mr. Chatfield,

Resolved, That the committee on Supplies and Expenditures, furnish to the committee on the State Prison, suitable means of conveyance to

the village of Jackson, and also the means of defraying their expenses while examining into the affairs of the State Prison at Jackson.

Mr. R. K. Divine gave notice that on some future day he would ask leave to introduce,

A bill to provide for laying out a State road, on the most feasible route, connecting the village of Greenville, in the county of Montcalm, with a point designated as the Rapid of the Muskegon river, situate in town No. 15, north of range No. 10 west, in the county of Mecosta.

Mr. Wells gave notice that on some subsequent day he would ask leave to introduce,

A bill to amend the revised charter and ordinances of the city of Detroit.

On motion of Mr. Chapel,

Resolved, That the committee on State Affairs be requested to report by bill or otherwise to this House, the propriety of fitting up a hall in the Dormitory of the University building, for a graduating class on Parliamentary Law, and the appointment of a Professor therefor, and what amount will be necessary to be appropriated for that object.

Mr. Sherman asked leave of absence for Mr. Wilbur, on account of illness.

On motion,

Leave was granted.

On motion,

The House adjourned until nine o'clock to-morrow morning.

Lansing, January 16, 1855.

The Speaker called the House to order, at 9 o'clock.

Roll called; a quorum present.

Journal read and corrected.

The Speaker announced the resignation of Mr. Jonathan Sprague, as Fireman, and the appointment of Mr. Conelius Ten Eyck, to fill such vacancy.

PETITIONS.

By Mr. McIntyre: of George W. Peck and 29 others, that the Regents of the University may be required to create a chair of Homoeopathy in the University, and appoint a Professor thereto.

Referred to the committee on Education.

By Mr. Mussey: the petition of Ruel Whitcomb and 31 others, asking to have the office of County Surveyor abolished.

Referred to the committee on the Judiciary.

By Mr. Sanborn: of Charles J. Kitton, praying the Legislature to set apart a fund from the proceeds of the sales of swamp lands, for the purpose of establishing a female College for the education of the young ladies of the State.

Referred to the committee on Education.

By Mr. Sanborn: of Benjamin S. Cox and others; also, of Harmon Charnettin and others, of St. Clair county, praying that the Legislature provide for the purchase of an Agricultural Farm, and also to connect with the same, an Institution for the education of the young men of the State, and endow the same as liberally as any other in this State.

Referred to the committee on Education.

By Mr. Miller: of Robert Watson, of Branch county; asking the Legislature to provide for the establishment of an Agricultural School.

Referred to the committee on Education.

By Mr. Gilman: of Elias G. Kiane, and 168 others, mechanics and citizens of Van Buren county, praying for a more effective law according to the constitutional provision, that "no mechanical trade shall be taught to the convicts of this State."

Referred to the committee on the Judiciary.

REPORTS OF STANDING COMMITTEES.

Mr. R. K. Divine, from the committee on Roads and Bridges, to whom was referred,

A bill to provide for laying out private roads; also,

A bill to amend sections 18 and 20 of the revised statutes; also,

A bill to amend sections 3 and 16 of the revised statutes,

Reported the same back to the House, the two first without amendment, and the last with an amendment, and recommended their passage, the last as amended.

Report accepted and the committee discharged. The proposed amendment was non-concurred in, and the bills reported ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. White, from the committee on Towns and Counties, to whom was referred the petition of Alvin Reynolds and others, inhabitants of the counties of Lapeer and Tuscola, praying that certain territory named therein, be organized into townships, reported a bill to the House in accordance therewith, and recommended its passage.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Tiffany, from the committee on the Judiciary, to whom was referred the bill to amend section 2, of an act entitled "an act for the protection of sheep and other domestic animals," approved March 28 1880, reported the same back to the House with an amendment thereto, of which the committee recommended the adoption; but of the bill thus amended, they made no recommendation.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Tiffany, from the same committee, to whom was referred the bill to provide for costs in criminal cases, before justices of the peace, reported the same back to the House, without recommendation, and asked to be discharged from the further consideration thereof.

Report accepted, the committee discharged, and the bill laid on the table.

Mr. Tiffany, from the same committee, to whom was referred the Senate bill to change the names of Lucinda Bull and others, reported the same back with amendments, and recommended its passage as amended.

Report accepted, the committee discharged, and the bill, with proposed amendments,

On motion of Mr. Wells,

Laid on the table.

Mr. Tiffany, from the same committee, to whom was referred the Senate bill to change the name of Elizabeth Alger, reported the same back to the House, and recommended its passage.

Report accepted, committee discharged, and the bill referred to the committee of the Whole, and placed on the general order.

Mr. Tiffany, from the same committee, to whom was referred the petition or memorial of Wm. P. Patrick, relative to the fees of Circuit Court Commissioners, *per folio*,² in taking testimony for the Circuit Court in Chancery, and asking for reduction of the same,

Reported the same back, with a recommendation adverse to the prayer of said petitioner, with a request that said petitioner have leave to withdraw the same.

Report accepted, the committee discharged, and,

On motion of Mr. Church,

Leave was granted to the petitioner to withdraw his petition.

Mr. McIntyre, from the committee on Banks and Incorporations, to whom was referred,

A bill to provide for the construction of a railroad to Lake Superior,

Reported adverse to the bill.

Which report was accepted, the committee discharged, the report ordered printed, and the bill referred to the committee on the Judiciary, with instructions recommended by the committee.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, January 15, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House of Representatives, House bill No. 2, being a bill to amend sections 13 and 15 of an act entitled "an act relative to Free Schools in the city of Detroit," approved Feb. 14, 1842, in which the Senate have concurred by a majority of all the Senators elect, and by a vote of two-thirds of all the Senators elect, ordered the same to take effect immediately.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Which message was laid on the table, and the bill referred to the committee on Engrossment and Enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Wells gave notice that on to-morrow, or some subsequent day he should ask leave to introduce,

A bill to provide for the formation of corporations for the purpose of constructing railroads.

Mr. Chamberlin gave notice that on to-morrow, or some subsequent day, he should ask leave to introduce,

A bill relative to the Pontiac and Waterford Plank Road Company.

Mr. J. Divine, pursuant to previous notice, asked leave to introduce,

A bill to amend the eighth sub-division of section twenty-seven, of chapter one hundred and six of the revised statutes of eighteen hundred and forty-six.

Leave being granted, the bill was read twice, and referred to the committee on the Judiciary.

Mr. Sherman gave notice that he would on some future day ask leave to introduce,

A bill in regard to taxation and regulation of foreign corporations in the Upper Peninsula.

Mr. Atwood gave notice that on some future day he would ask leave to introduce,

A bill to appropriate certain State Internal Improvement Lands, situated in the county of Tuscola, to aid in the construction of a road from Watrousville, in township No. 12 north, of range 8 east, to Lower Saginaw.

On motion of Mr. Fitch, it was unanimously

Resolved, That the use of this Hall (on Thursday afternoon and evening of next week,) be granted to the ladies of Lansing and vicinity, for holding their Annual Fair, for religious and charitable purposes.

Mr. Wells, in pursuance of previous notice, asked leave to introduce a bill to amend sections two and three, of an act entitled, "An act to authorize the formation of corporations for mining, smelting, or manufacturing, iron, copper, mineral coal, silver, or other ores, and for other manufacturing purposes, approved February 5, 1853.

Leave being granted, the bill was read a first and second time, and referred to the committee on the Judiciary.

Mr. Wendell, in pursuance to previous notice, presented a joint resolution, praying for the sale of United States military reservations in the county of Mackinaw.

Which was read a first and second time, and referred to the committee on Federal Relations.

Mr. Brown offered the following resolution:

Resolved, That the committee on Supplies, furnish each member of this House, and its officers, with a copy of Farmer's Sectional Map of Michigan.

Mr. Strang, moved to lay the resolution on the table, on the ground that the Clerk had already, under previous instruction, ordered a map of the State, for the use of each member.

Mr. Brown then withdrew his resolution.

Mr. Hall gave notice that on to-morrow, or some subsequent day, he would ask leave to introduce,

A bill to amend section 96 of chapter 93 of the revised statutes of 1846.

Mr. Duncan gave notice, that on some future day, he would ask leave to introduce,

A bill to extend the time for the collection and return of taxes in the townships of Muskegon, Wright, and White River, in the county of Ottawa.

Mr. Strang, pursuant to previous notice, asked leave to introduce,

A bill to provide for draining the swamp lands near the sand flats of the Muskegon river.

Leave being granted,

The bill was read by its title a first and second time, and referred to the committee on Public Lands.

Mr. Chapel, in pursuance of previous notice, asked leave to introduce,

A joint resolution relative to the claims of the Sault Ste Marie Plank Road Company.

Leave granted, the joint resolution read a first and second time, and referred to the committee on State Affairs.

Mr. Chapel, in pursuance of previous notice, asked for leave to introduce,

A bill amending the charter of the Detroit, Romeo and Port Huron Railroad Company.

Leave being granted, the bill was read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. J. D. Fine gave notice, that on some future day, he would ask leave to introduce,

A bill for a grant of swamp lands, or the proceeds thereof, to the county of Sanilac, for the purposes therein stated.

Mr. Sherman, in pursuance of previous notice, asked for leave to introduce,

A bill to provide for the distribution of swamp lands in the county of Marquette, Houghton and Ontonagon.

Leave was granted, and the bill was read a first and second time, and referred to the committee on Public Lands.

On motion of Mr. Judd, it was

Resolved, That the Wesleyan Methodist Society of Lansing, be permitted to occupy this Hall for public worship, next Sabbath evening.

UNFINISHED BUSINESS.

The House resumed the consideration of the bill to organize the county of Gratiot, being the unfinished business of Saturday.

Pending the question on the adoption of Mr. Tiffany's amendment to the substitute for section four, offered by Mr. McIntyre,

Mr. Chapel moved that the bill be re-committed to the committee on Towns and Counties, and that said committee be instructed to prepare and report an amendment providing for the establishment of the county seat of Gratiot county, by a vote of the people, at their first regular election.

Lost.

The question recurring on the amendment of Mr. Tiffany, the same was lost.

Mr. D. N. Montague moved the previous question.

Mr. Church wished to move an amendment, and claimed the floor in advance of the call for the previous question.

Mr. White hoped that Mr. Church would have leave to state his proposed amendment.

The Speaker decided the call for the previous question to be in order.

The question then being, "shall the main question be now put?"

The same was ordered, as follows:

YEAS.

Mr. Ashmun,
Barclay,
Beebe,

Mr. Hurd,
Ives,
Judd,

Mr. N. Power,
P. Power,
Ralph,

Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
R. K. Divine,
Dunakin,
DuPuy,
Eddy,
Edwards,
Enos,
Gilman,
Hall,

King,
Lapham,
Lovell,
Luca,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Parker,

Sanborn,
St. Aubin,
Sherman,
Smith,
Stout,
Strang,
Tompkins,
Ward,
White,
Whitmore,
Williams,
Speaker,

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NAYS.

Mr. Atwood,
Chapel,
Church,
J. Divine,
Duncan,
Ewell,
Fitch,
Gregory,

Mr. Hathaway,
Hixon,
Kirkland,
Littlejohn,
Lomson,
Noble,
Parsons,

Mr. Pettit,
Reynolds,
Ross,
Sutherland,
Tiffany,
Wells,
Wendell,

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The question then being on the substitute, the same was adopted, as follows:

YEAS.

Mr. Atwood,
Aahman,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
R. K. Divine,
Dunakin,
DuPuy,
Eddy,
Edwards,
Enos,
Gilman,
Hall,

Mr. Hurd,
Ives,
Judd,
King,
Lapham,
Lovell,
Luca,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Parker,
N. Power,

Mr. P. Power,
Ralph,
Sanborn,
St. Aubin,
Sherman,
Smith,
Stout,
Strang,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

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NAYS.

Mr. Chapel,
Church,
J. Divine,
Duncan,

Mr. Hathaway,
Hixon,
Kirkland,
Littlejohn,

Mr. Parsons,
Pettit,
Reynolds,
Ross,

Ewell,
Fitch,
Gregory,

Lomison,
Noble,

Sutherland,
Tiffany,

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The bill was then ordered to be engrossed and read a third time.

On motion of Mr. Gregory.

The House adjourned till 2 o'clock.

—
AFTERNOON SESSION.

House called to order at 2 o'clock, P. M.

Roll called, and a quorum found present.

The House having reached the general order, went into committee of the Whole thereon,

Mr. White in the chair.

After spending some time thereon, the committee rose, and through their chairman reported back to the House, House bills numbered seven, nine, ten and twelve, which they had had under consideration, numbers seven and nine with amendments, in which they asked the concurrence of the House, and numbers ten and twelve without amendment, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the question being upon concurring in the amendments made in committee of the Whole, the same were concurred in.

The amendment of House bill number 9, being

A bill to amend sec. eighty-seven of chapter sixteen, title four of the Revised Statutes of eighteen hundred and forty-six,

Being to strike out all after the enacting clause, and having been concurred in by the House,

On motion of Mr. Church,

The enacting clause was indefinitely postponed.

Mr. McIntyre asked the unanimous consent of the House, to move to reconsider the vote by which the bill to organize the county of Gratiot was ordered engrossed, and to be read a third time.

Mr. Fitch objected.

Mr. Littlejohn moved to suspend the rules, that the motion to reconsider might be entertained.

Carried.

Mr. D. N. Montague moved to reconsider the vote by which the bill was ordered engrossed and read a third time.

Carried.

Mr. Mussey moved to reconsider the vote by which the substitute for section four was adopted.

Carried.

Mr. Parsons moved that the vote upon the question of striking out section four from the original bill, be reconsidered.

Carried.

Mr. White moved to reconsider the vote by which the previous question was ordered.

Carried.

The previous question being put, it was not sustained.

The question recurring on Mr. McIntyre's substitute,

Mr. Church moved to strike out of the substitute, "in the township of Pine River."

Lost.

The questions to strike out and insert were then taken separately, and each sustained; when

Mr. McIntyre moved to amend sec. 3, by striking out all the words after the word "at" in the second line, to the word "and" in the third line, and insert the words "the place where the said election shall be held in the township of Pine River, on the first Tuesday after the election,"

Which amendment was adopted.

No other amendment being offered,

On motion of Mr. McIntyre,

The bill, as amended, was ordered to be engrossed and read a third time.

On motion,

The House adjourned till to-morrow morning at 9 o'clock.

Lansing, Wednesday, January 17, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Wood.

Roll called; a quorum present.

Journal of preceding day read, corrected and approved.

PETITIONS.

By Mr. Tiffany: of Simeon Davidson and 21 others, of Macon, Lenawee county, for the passage of a law granting power to townships, in their discretion, to elect one or more assessors.

Referred to the committee on Towns and Counties.

By Mr. Beecher: of Dr. H. Knapp and 34 others, citizens of Lenawee county, praying for an act requiring the Board of Regents of the University of Michigan to create a chair of Homeopathy in the medical department of said institution, and appoint a Professor thereto.

Referred to the committee on Education.

By Mr. Edwards: of David Carr and 198 other citizens of Wayne, praying an appropriation of the proceeds of the swamp lands for a female college.

Referred to the committee on Education.

By Mr. H. Montague: of the supervisors of Kalamazoo county

Referred to the committee on Agriculture and Manufactures.

By Mr. Wells: of Daniel J. Campan, Register of the land office, and Eliaha Taylor, Receiver of the land office, at Detroit, asking compensation for entering swamp lands.

Referred to the committee on Public Lands.

By Mr. Stout: of J. L. Stout and 23 others, praying for the establishment of an Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. Cady: of A. Curtiss and 36 others, citizens of Dundee, asking to be incorporated into a village of Dundee.

Referred to the committee on Towns and Counties.

By Mr. Church: of Isaac Turner, of Kent county, asking for the sale to him of the south half of lot number two, in section twenty-five, in town seven, north of range twelve west, being State building lands, upon the terms of the act of June, 1842.

Referred to the committee on Public Lands.

REPORTS OF STANDING COMMITTEES.

Mr. P. Power, from the committee on Federal Relations, to whom was referred a joint resolution from the Senate, instructing our members in Congress relative to the sale of military reserves in the county of Michilimackinac, reported that they had had the same under consideration, and had instructed their chairman to report the same back to the House without amendment, recommending its passage.

Report accepted, committee discharged, and the resolution ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Sanborn, from the committee on Public Lands, to whom was referred an act for the relief of certain purchasers of Primary School Lands, would, through their chairman, report that they have had the same under consideration, and instructed the Chairman to report the same back without amendment, and recommend its passage.

Report accepted, the committee discharged, and the bill ordered printed,

Referred to the committee of the Whole, and placed on the general order.

Mr. Stout, from the committee on Engrossment and Enrollment, reported as correctly engrossed, House bill No. 6, entitled,

A bill to organize the county of Gratiot.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following communication from the office of the Superintendent of Public Instruction:

OFFICE OF SUP. OF PUBLIC INSTRUCTION, }
Lansing, December 30, 1854. }

To the Honorable, the Legislature of Michigan:

Herewith is respectfully submitted the Annual Report required by law from this department, embracing accompanying documents.

Very respectfully,

Your obedient servant,

FRANCIS W. SHEARMAN,

Superintendent of Public Instruction.

Which communication was laid on the table.

Mr. McIntyre moved that 2000 copies of the Report be printed; which motion he afterwards withdrew.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 16, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to transmit to the House of Representatives, "joint resolution for the relief of certain purchasers of University Lands," which the Senate have passed by a majority of all the Senators elect, and ordered to take immediate effect, by a vote of two-thirds of the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which message was laid on the table, and the joint resolution for the relief of certain purchasers of University Lands, read a first and second time, and referred to the committee on Public Lands.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Williams, pursuant to previous notice, asked leave to introduce,

A bill to incorporate the village of Dexter, in the county of Washtenaw.

Leave being granted, the bill was read a first and second time, and referred to a committee of three, appointed by the Speaker: Messrs. Williams, Edwards and Luce.

Mr. Mussey, pursuant to previous notice, asked leave to introduce,

A bill to amend an act to incorporate the village of Romeo.

Leave being granted, the bill was read a first and second time, and referred to the committee on Towns and Counties.

Mr. R. K. Divine offered the following resolution:

Resolved, That the Judiciary committee be instructed to report a bill without delay, authorizing the Board of Supervisors to organize towns in all cases, and to detach territory from one town, and attach the same territory to another town, so as to obviate the necessity of applications to the Legislature upon the subject.

Mr. McIntyre offered the following as a substitute:

Resolved, That the committee on the Judiciary, inquire and report by bill or otherwise, whether any amendments are necessary, or can be

made in accordance with the Constitution, to the act entitled, "An act to define the powers and duties of the Boards of Supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers," approved April 8, 1851.

Which substitute was adopted.

On motion of Mr. Beebe, it was

Resolved, That Charles V. DeLand, be, and is hereby appointed Reporter to the House of Representatives for the present session, at a salary not exceeding three dollars per day, whose duty it shall be, to furnish sketches of the debates of this body to such papers as the Speaker of this House shall designate.

On motion of Mr. Wells,

The Senate bill No. 5, entitled "an act to change the name of Lucinda Bull and others," was taken from the table, and

On motion of the same,

The amendment recommended by the Judiciary, was concurred in by the House.

On motion of Mr. Church,

The bill, as amended, was placed on the general order.

Mr. Wells gave notice that on to-morrow or some subsequent day, he would ask leave to introduce,

A bill to amend an act entitled "an act relative to Plank Roads," approved March 13, 1848, and an act amendatory thereto, approved February 9, 1853.

Mr. Hall gave notice that he would on some future day ask leave to introduce,

A bill to prevent the wrongful taking, detaching from the ground, or injuring any fruit tree, ornamental or shade tree, ornamental shrub, plant, vine or vegetable.

Mr. Chamberlin, pursuant to previous notice, asked leave to introduce,

A bill relative to the Pontiac and Waterford Plank Road Company.

Leave being granted, the bill was read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. Cady gave notice that on some future day, he would ask leave to introduce,

A bill to incorporate the villages of Dundee, in the county of Monroe.

Mr. Strang gave notice that on some future day, he would ask leave to introduce,

A bill to enable the several counties in this State to reclaim the swamp lands within their limits.

On motion of Mr. McIntyre, it was

Resolved, That the committee on Printing cause to be printed 2,000 copies of the complete Report of the Superintendent of Public Instruction for the use of this House, and to have the same delivered to the House before the Legislature shall adjourn.

Mr. Church gave notice that on some subsequent day, he should ask leave to introduce,

A bill to amend an act entitled "an act for the relief of James Waters," approved Feb. 5, 1853.

Mr. Gregory moved that the use of this Hall be granted to the Baptist Society of Lansing, each Sabbath morning, for public worship.

Which motion prevailed.

THIRD READING OF BILLS.

House bill No. 7, being a bill to provide for an additional Circuit Court Commissioner for the county of Wayne, was read a third time, when,

Mr. Sherman moved to strike out all after the enacting clause.

Under which motion, some discussion was had upon the constitutionality and expediency of the bill, by Messrs. Sherman, Wells, Parsons, Tiffany, Jude, Littlejohn, Church, Beecher and McIntyre.

Mr. Sherman withdrew his motion, and moved to strike out all after the enacting clause of the first section.

Which motion prevailed.

Mr. Parsons moved to lay the bill on the table.

Which motion prevailed.

House bill No. 10, being,

A bill to organize the township of Greenland, and define the boundaries thereof, and other purposes,

Was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,

Mr. Hall,
Hathaway,

Mr. Pettit,
N. Power,

| | | |
|---------------|-----------------|-------------|
| Barclay, | Hixon, | P. Power, |
| Beebe, | Hurd, | Ralph, |
| Beecher, | Ives, | Reynolds, |
| Brown, | Judd, | Ross, |
| Brownell, | King, | Sanborn, |
| Cady, | Kirkland, | St. Aubin, |
| Chapel, | Lapham, | Sherman, |
| Chamberlin, | Littlejohn, | Smith, |
| Church, | Lomison, | Stout, |
| J. Divine, | Lovell, | Strang, |
| R. K. Divine, | Luce, | Sutherland, |
| Dunakin, | McIntyre, | Tiffany, |
| Duncan, | Middleworth, | Tompkins, |
| DuPuy, | Miller, | Ward, |
| Eddy, | D. N. Montague, | Wells, |
| Edwards, | H. Montague, | Wendell, |
| Enos, | Moorman, | White, |
| Ewell, | Mussey, | Whitmore, |
| Fitch, | Parker, | Williams, |
| Gilman, | Parsons, | Speaker, |
| Gregory, | | |

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NAYS.

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Mr. Hall moved to strike out of the title the words, "and other purposes."

Lost.

On motion of Mr. Sherman,

The bill was, by a two-thirds vote, ordered to take immediate effect.

House bill No. 12, being,

A bill to change the name of the township of Antrim, in the county of Grand Traverse,

Was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|--------------|--------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Parsons, |
| Ashmun, | Hall, | Pettit, |
| Barclay, | Hathaway, | N. Power, |
| Beebe, | Hixon, | Ralph, |
| Beecher, | Hurd, | Reynolds, |
| Brown, | Ives, | Ross, |
| Brownell, | Judd, | Sanborn, |
| Cady, | King, | St. Aubin, |
| Chamberlin, | Kirkland, | Sherman, |
| Chapel, | Lapham, | Smith, |
| Church, | Littlejohn, | Stout, |
| J. Divine, | Lomison, | Strang, |
| R. K. Divine, | Lovell, | Sutherland, |

| | | |
|----------|-----------------|-----------|
| Dunakin, | Luce, | Tiffany, |
| Duncan, | McIntyre, | Tompkins, |
| DuPuy, | Middlesworth, | Ward, |
| Eddy, | Miller, | Wells, |
| Edwards, | D. N. Montague, | Wendell, |
| Enos, | H. Montague, | White, |
| Ewell, | Moorman, | Whitmore, |
| Fitch, | Mussey, | Williams, |
| Gilman, | Parker, | Speaker, |

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NAYS.

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On motion of Mr. Strang,

The same was ordered, by a two-thirds vote of all the members elect, to take immediate effect.

House bill No. 8, being a bill to organize the county of Gratiot, was read a third time, and passed by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hall, | Mr. N. Power, |
| Ashmun, | Hurl, | Ralph, |
| Barclay, | Ives, | Ross, |
| Beebe, | Judd, | Sanborn, |
| Beecher, | King, | St. Aubin, |
| Brown, | Kirkland, | Smith, |
| Brownell, | Lapham, | Stout, |
| Cady, | Lovell, | Strang, |
| Chamberlin, | Luce, | Sutherland, |
| Church, | McIntyre, | Tiffany, |
| J. Divine, | Middlesworth, | Tompkins, |
| R. K. Divine, | Miller, | Ward, |
| Dunakin, | D. N. Montague, | Wells, |
| DuPuy, | Moorman, | Wendell, |
| Eddy, | Mussey, | White, |
| Edwards, | Noble, | Whitmore, |
| Enos, | Parker, | Williams, |
| Gilman, | | |

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NAYS.

| | | |
|-------------|---------------|--------------|
| Mr. Chapel, | Mr. Hathaway, | Mr. Parsons, |
| Duncan, | Hixon, | Pettit, |
| Ewell, | Littjohn, | Reynolds, |
| Eitch, | Lomison, | Sherman, |
| Gregory, | H. Montague, | Speaker, |

15

Mr. Church moved to re-consider the vote upon which the bill was passed; also that the motion to re-consider, lay on the table.

Motion to lay on the table was lost, when

Mr. Church withdrew the motion to re-consider, and gave notice that he should move to re-consider within the time fixed by the rules.

On motion of Mr. Beecher,

The House adjourned till 2 o'clock, P. M.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

Mr. Sherman asked leave of absence for Mr. Wilbur.

Leave granted.

The House having reached the general order, resolved itself into a committee of the Whole,

Mr. Beecher in the chair.

And after spending some time thereon, rose, and through their chairman reported back to the House, House bills Nos. 15 and 16, to which they had made amendments, and asked the concurrence of the House therein, and to be discharged from their further consideration.

The committee was discharged, when,

On motion,

The House adjourned.

Lansing, Thursday, January 18, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Franklin.

Roll called; a quorum present.

The Journal of preceding day read and corrected.

PETITIONS PRESENTED.

By Mr. McIntyre: of S. B. Treadwell and others, asking for the creation of a chair of homeopathy in the University; also, memorial of S. B. Thayer and others, for the same.

Which last was,

On motion of Mr. White,

Ordered to be printed, and both referred to the committee on Education.

By Mr. Littlejohn: a memorial of President Tappan upon the subject of the University Fund, and the necessary legislation for relieving the same.

Referred to the committee on Education.

By Mr. Beebe: of John McGuire and several others, on the subject of swamp lands.

Referred to the committee on Public Lands.

By Mr. Hall: of Silas Kelsey and 132 others, inhabitants of Le Roy in the county of Calhoun, praying for the passage of a law prohibiting the sale of intoxicating beverages.

Referred to the select committee on the prohibitory liquor law.

Also, of B. F. Hinman, William Wallace and 93 others, citizens of Battle Creek, for the same.

Referred to the same committee.

Also, of E. S. Williams and 108 others, citizens of Emmet, Calhoun county, for the same.

Referred to the same committee.

By Mr. Ives: of J. M. Eaman and 283 others, praying for the same.

Referred to the same committee.

Also, of J. M. Eaman, W. P., and U. Brown, R. S., of Portage Division, No. 76, S. of T., Pinckney, praying for the passage of a Maine prohibitory liquor law.

Referred to the same committee.

By Mr. D. N. Montague: of residents of Genesee county, also, of ladies of Genesee county, for a prohibitory liquor law.

Referred to the same committee.

By N. Power: of Aaron Haskins and 67 others, asking for the repeal of act No. 96, of session laws of 1849, entitled an act to encourage agriculture, manufactures, and the mechanic arts.

Also, of J. A. Chapman and 91 others, for the same.

Which were both referred to the committee on Agriculture and Manufactures.

By Mr. Gilman: of H. C. Clapp and 33 others, citizens of Van Buren county, for the establishment of a State Institution for the education of females.

Referred to the committee on Education.

By Mr. Stout: of H. Miller and 13 others, asking the repeal of act No. 96, of the session laws of 1849.

Referred to the committee on Agriculture and Manufactures.

By Mr. D. N. Montague: for the organization of the town of Bingham, in Genesee county.

Referred to the committee on Towns and Counties.

REPORTS OF STANDING COMMITTEES.

Mr. N. Power, from the committee on Agriculture and Manufactures, to whom was referred the petition of J. C. Holmes, and other petitions, asking for the passage of an act to authorize the formation of town and county Agricultural Societies, reported that they had had the matter under consideration, and presented an act for that purpose, of which they recommended the passage.

Which report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Sanborn, from the committee on Public Lands, to whom was referred a joint resolution from the Senate for the relief of certain purchasers of University Lands, reported that they had had the same under consideration, and had instructed their chairman to report the same back to the House without amendment, recommend its passage, and ask to be discharged from the further consideration thereof.

Which report was accepted, and the committee discharged; when,

Mr. Beecher moved a suspension of the rule requiring engrossment, that the joint resolution might be put upon its immediate passage.

Which motion, by a two-thirds vote, prevailed.

The resolution was then read a third time, and passed by yeas and nays, as follows:

YEAS.

| | | |
|-------------|---------------|--------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Parsons, |
| Ashmun, | Hixon, | Pettit, |
| Barclay, | Hurl, | N. Power, |
| Beebe, | Ives, | P. Power, |
| Beecher, | Judd, | Ralph, |
| Brown, | King, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Cady, | Lapham, | Sanborn, |
| Chapel, | Littlejohn, | St. Aubin, |
| Church, | Lomison, | Smith, |

J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Gilman,
Gregory,
Hall,

Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,

Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
Whitmore,
Williams,
Speaker,

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NAYS.

Mr. Fitch,

Mr. Sherman,

2.

On motion of Mr. Beecher,

The resolution was, by a vote of two-thirds of all the members elect, ordered to take immediate effect.

Mr. Littlejohn, from the committee on State Affairs, to whom was referred the resolution instructing them to report a bill for the speedy establishment of a State Institution of correction, for the instruction and reform of juvenile offenders, to be entirely disconnected from the State Penitentiary, and also so much of the Governor's Message as relates to a House of Correction for boys and youths, reported that they had had the same under consideration, and had instructed their chairman to report thereon by the accompanying bill, recommending its passage and asking to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill, entitled, "a bill to establish a House of Correction for juvenile offenders,"

Read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

ADJUTANT AND QUARTER MASTER GENERAL'S OFFICE, }
Detroit, January 16th, 1855.

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—I have the honor herewith to transmit a memorial to the Honorable, the Legislature, from the select committee of the Military Convention, held Oct. 10th, 1854, praying for a revision of the militia laws

of this State, and soliciting that you may be pleased to lay the same before that honorable body, for its favorable consideration.

Very respectfully,

Your obedient servant,

J. E. SCHWARZ,

Adjutant and Quarter Master General.

Which communication was laid on the table, and the memorial referred to the committee on the Militia.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 17, 1855. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit,
Joint resolution relative to certain University lands,

Which has passed the Senate by a majority of all the Senators elect and by a vote of two-thirds of all said Senators, ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

The message was laid on the table, and the joint resolution referred to the committee on Public Lands.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 11, 1855. }

To the Speaker of the House of Rep's :

SIR—I am instructed by the Senate, to return to the House of Representatives, House bill No. 1, being,

A bill to enlarge the powers of School District No. 11, in the city and township of Ann Arbor, in the county of Washtenaw,

In which the Senate have concurred by a vote of a majority of all the Senators elect, and which was ordered to take immediate effect by a vote of two-thirds of all said Senators.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Which message was laid on the table, and which bill was ordered to be enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Wells, in pursuance of previous notice, asked leave to introduce,

A bill to provide for the sale and reclaiming of the swamp lands.

Leave being granted, the bill was read a first and second time, and referred to the committee on Public Lands.

Mr. Parker offered the following resolution:

Resolved, That the committee on Education, to whom was referred the petition of B. S. Cox and others, praying the Legislature to provide for the purchase of an agricultural farm, and also to connect therewith an institution for the education of the young men of the State, be instructed to consider the expediency and justice of making equal provision for the education of the young women of the State.

Which resolution was adopted.

Mr. Moorman gave notice that he would to-morrow, or some subsequent day, ask leave to bring in,

A bill for the regulation of Roman Catholic nunneries and schools, and other purposes.

Mr. Littlejohn gave notice that he would, on some future day, ask leave to introduce,

A bill ceding to the General Government, the jurisdiction to certain sites designated for the erection of light houses.

Mr. Wells, pursuant to notice heretofore given, asked for leave to introduce,

A bill to amend the charter of the city of Detroit, and the several acts amendatory thereto.

Leave being granted,

The bill was introduced, read twice, and referred to the committee on the Judiciary.

Mr. Strang pursuant to notice heretofore given, asked leave to introduce,

A bill to enable the several counties in this State, to reclaim the swamp lands within their limits.

Leave being granted, the bill was read a first and second time, ordered to be printed, and referred to the committee on the Public Lands.

On motion of Mr. Beecher, it was

Resolved, That a special committee of seven be appointed by the chair, on apportionment of Representatives to this House.

Mr. Edwards, pursuant to previous notice, asked leave to introduce,

A bill to incorporate the village of Trenton,

And asked that it be referred to the special committee to whom was referred the bill to incorporate the village of Dexter.

Leave being granted, the bill was read a first and second time and referred to said special committee.

Mr. Church moved that leave be granted to him to introduce, according to previous notice,

A bill to amend an act entitled an act for the relief of James Waters, approved February 5, 1853.

Leave being granted, the bill was read a first and second time and referred to the committee on Public Lands.

Mr. Wells, in pursuance of previous notice, asked leave to introduce,

A bill to amend an act relative to plank roads, approved March 13, 1848, and an act amendatory thereto.

Leave being granted, the bill was read a first and second time and referred to the committee on Roads and Bridges.

Mr. Wells gave notice that on to-morrow, or some subsequent day, he would ask leave to introduce,

A bill granting to the city of Detroit the interest of the State of Michigan, in the Female Seminary property in Detroit, for certain purposes therein named; also,

A bill to authorize the Water Commissioners of the city of Detroit to loan money for the purpose of extending and improving the water works of said city; also,

A bill to authorize certain religious societies therein named to borrow money.

Mr. Duncan, in pursuance of previous notice, asked leave to introduce,

A bill to extend the time for the collection and return of taxes in the townships of Muskegon, Wright, and White River, in the county of Ottawa.

Leave was granted, and the bill read a first and second time, and referred to the committee on Towns and Counties.

Mr. Whitmore, pursuant to previous notice, asked leave to introduce,

A bill to amend section 52 of chapter 14, of title 3, of the revised statutes of 1846, so as to provide a different mode for the compensation of Judges of Probate.

Leave being granted, the bill was read a first and second time, and referred to the committee on the Judiciary.

Mr. Whitmore gave notice that on some future day he would ask leave to introduce,

A joint resolution relative to the final adjustment of the claim of John Van Fossen against the State of Michigan.

Mr Church offered the following resolution:

Resolved, That rule numbered 16, in the present Manual be amended so as to read as follows:

RULE 16. Petitions, memorials and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place, and no petition, memorial or other paper addressed to the House shall be received or read, unless a brief statement of the contents thereof be endorsed thereon, with the name of the member introducing it.

Further resolved, That the committee on Printing are directed to cause this rule, and those heretofore adopted by this House, to be inserted in the proper place in the Manual heretofore ordered.

Adopted.

Mr. Cady, in pursuance of previous notice, asked and obtained leave to introduce,

A bill to incorporate the village of Dundee, in the county of Monroe.

Which was read a first and second time, and referred to the committee on Banks and Incorporations.

UNFINISHED BUSINESS.

The House took into consideration the report of the committee of the Whole, on the general order, the same being the unfinished business of yesterday.

The amendments made in House bill No. 15, being,

A bill for the incorporation of Charitable Societies,

Were severally concurred in, when

Mr. Ralph moved to further amend by striking out in the eleventh line of section one, the words "as well as to provide funds for religious purposes."

Which motion prevailed.

Mr. Littlejohn moved to strike out of the same section all between the word "articles," in the 9th line, and the word "*Provided*," in the 11th line.

Pending which,

Mr. McIntyre moved to insert in the 10th line of said section, and in the body of the sentence proposed to be stricken out, the word "only," between the words "include" and "societies."

Which motion prevailed.

The question being taken on the motion to strike out, the same was lost.

The bill, as amended, was then ordered to be engrossed for a third reading.

On motion,

The House adjourned till to-morrow morning, at 9 o'clock.

Lansing, Friday, January 19, 1855.

The Speaker called the House to order at 9 o'clock.

Roll called; a quorum present.

Journal of yesterday read and approved.

The Speaker announced the appointment of the committee on Apportionment, as follows:

Messrs. Beecher, of Lenawee; Gregory, of Wayne; Stout, of Oakland; Miller, of St. Joseph; Lapham, of Kent; Littlejohn, of Allegan; and Parsons, of Shiawasse.

PETITIONS PRESENTED.

By Mr. McIntyre: of Mrs. D. Ormsby and others, for the establishment and endowment of an institution for the better education of females.

Referred to the committee on Education.

By Mr. Stout: of R. Sprague and 86 others, asking an amendment to the plank road law.

Referred to the committee on Banks and Incorporations.

By Mr. Moorman: of sundry ladies and gentlemen in the county of Wayne, for an appropriation of part of the swamp land fund for female education.

Referred to the committee on Education.

By Mr. Hall: sundry petitions of citizens of Calhoun county, praying for the passage of a law prohibiting the sale of intoxicating drinks.

Referred to the select committee on the Prohibitory Liquor Law.

By Mr. Beecher: petition of Mrs. L. G. Berry and 50 others, citizens of Lenawee county, praying that a fund be set apart from the sale of proceeds of swamp lands, for the endowment of a female college, to be located at the city of Adrian.

Referred to the committee on Education.

By Mr. Church: a resolution of the Board of Supervisors of the county of Kent, requesting a law to make the office of Judge of Probate a salaried office.

Referred to the committee on the Judiciary.

By Mr. Parsons: petition of G. C. Holmes and 70 others, of Shiawassee county, asking an appropriation for the establishment of a State Agricultural School.

Referred to the committee on Agriculture and Manufactures.

REPORTS OF STANDING COMMITTEES.

Mr. White, from the committee on Towns and Counties, to whom was referred,

A bill to amend an act to incorporate the village of Romeo,

Reported that the committee had had the subject under consideration, and instructed their chairman to report the same bill back to the House, without amendments, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Report accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. White, from the committee on Towns and Counties, to whom was referred a bill to organize the county of Delta, reported that the committee had had the subject of the bill under consideration, and had instructed their chairman to report the same back to the House, and adversely thereto, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill laid on the table.

Mr. Church moved to re-consider the vote for laying the bill on the table; and, after some explanation on the part of Mr. Strang and the chairman of the committee, withdrew the motion.

Mr. White, from the committee on Towns and Counties, to whom was referred a bill to organize the county of Manistee, reported that the committee had had the subject under consideration, and had instructed their chairman to report the same back to the House, with sundry amendments thereto, to-wit: strike out a part of section one; also, strike out sections five, six and seven, and amend sections four and six, as they stand in the bill, and ask the concurrence of the House therein, and that the committee be discharged from the further consideration of the subject.

Which report was accepted, the committee discharged, amendments concurred in, and the bill, as amended, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. R. K. Divine, from the committee on Roads and Bridges, to whom was referred the bill to amend an act entitled, "an act relative to plank roads," approved March 13, 1848, and an act amendatory thereto, approved Feb. 9, 1853, reported the same back to the House, recommended its passage, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. McIntyre, from the committee on Banks and Incorporations, to whom was referred the bill entitled,

A bill to incorporate the village of Dundee,

Reported that petitions on that subject had been referred to the committee on Towns and Counties, and the committee reported the bill back to the House without amendment, and recommended that it be referred to the committee on Towns and Counties, and asked to be discharged from the further consideration of the subject.

Which report was accepted, the committee discharged, and the bill referred to the committee on Towns and Counties.

Mr. McIntyre, from the committee on Banks and Incorporations, to whom was referred,

The bill entitled; "an act to authorize the Michigan Southern Rail Road Company to consolidate with the Northern Indiana Rail Road Company,"

Reported that the committee had had the same under consideration, made sundry amendments thereto, in which the concurrence of the House was requested, and the committee recommended the passage of the bill as amended, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill and amendments ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on the Judiciary submitted the following report:

The committee on the Judiciary, to whom was referred the bill to amend an act entitled, "an act to incorporate the Port Huron and Lake Michigan Rail Road Company," approved Jan. 30, 1847, with instructions to said committee to inquire into and report to the House their opinion, on the constitutionality of the proposed amendments to said act of incorporation, have instructed me to report that they view the clause in section 8, of article 15, forbidding the Legislature to renew or extend any act of incorporation, as having reference to time only, and that therefore the amendments under consideration now, are not obnoxious to objection in this regard. The committee, therefore, instruct me to report the bill to the House, and ask to be discharged from the further consideration thereof.

A. R. TIFFANY,

Chairman.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on Banks and Incorporations submitted the following report:

The committee on Banks and Incorporations, to whom was referred the bill entitled "an act authorizing the Detroit and Pontiac Railroad Company and the Oakland and Ottawa Railroad Company to consolidate, so as to form a continuous line from Detroit to Lake Michigan,"

respectfully report that your committee have had the same under consideration, made sundry amendments thereto, which are herewith submitted, and in which the concurrence of the House is requested: Your committee recommend the passage of the bill as amended, and request to be discharged from the further consideration of the subject.

D. MCINTYRE,

Chairman.

Which report was accepted, the committee discharged, and the bill and amendments ordered to be printed, referred to the committee of the Whole, and placed on the general order.

Mr. N. Power, from the committee on Agriculture and Manufactures, reported a bill relative to the establishment of a State Agricultural School, the passage of which the committee recommended, and asked to be discharged from the further consideration of the subject.

Which report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on Banks and Incorporations submitted the following report:

The committee on Banks and Incorporations, to whom was referred,

The bill to amend an act entitled, "an act to incorporate the Lake Superior Mining Company of Eagle River,"

Have had the same under consideration, and beg leave to report that the only amendment proposed in this bill, is a change of name: No objection is discovered to this change. The committee have thought it most convenient not to recommend the passage of a bill in form, amending said charter, and have therefore prepared,

A bill to change the name of the Lake Superior Mining Company, of Eagle River,

Which they recommend as a substitute for the bill referred; and that the same pass.

JAMES J. STRANGE,

Which report was accepted, the committee discharged, and the substitute ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Tiffany, from the committee on the Judiciary, to whom was referred a joint resolution relative to the claim of the State of Michigan,

against the county of Chippewa, reported the same back to the House, and recommended its passage.

Which report was accepted, the committee discharged, and the joint resolution ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on the Judiciary made the following report:

The committee on the Judiciary, in pursuance of a resolution of this House, have instructed me to report to the House the accompanying bill authorizing the Board of Supervisors of each county to organize townships in all cases, and to detach territory from one town and attach the same to another, and ask to be discharged from the further consideration of the subject.

A. R. TIFFANY,

Chairman.

Which report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on Engrossment and Enrollment reported as follows:

The committee on Engrossment and Enrollment report as correctly engrossed House bill No. 15, entitled "a bill for the incorporation of Charitable Societies.

Also, as correctly enrolled, signed and presented to the Governor for his signature, "joint resolution of the Senate and House of Representatives, relative to the printing of a Manual.

B. G. STOUT,

Chairman.

Mr. Tiffany, from the committee on the Judiciary, to whom was referred,

A bill to amend the laws incorporating the city of Detroit, and the acts amendatory thereto,

Reported that they had the same under consideration, had made sundry amendments thereto, and recommended its passage as amended.

Report accepted, the committee discharged, amendments concurred in, and the bill as amended, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Williams, from the Select committee, to whom was referred,

The bill to incorporate the village of Dexter,

Reported that they had had the same under consideration, and had instructed their chairman to report the same back to the House without amendment, and recommend its passage.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Williams, from the same committee, to whom was referred,

The bill to incorporate the village of Trenton.

Reported the same back to the House without amendment recommended the passage thereof, and asked to be discharged from the further consideration of the same.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

MESSAGES.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 18, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

Concurrent resolution relative to the rules, which the Senate have passed, and ask the concurrence of the House therein.

I. W. WILDER,

Sec'y of Senate.

Resolved, by the Senate, (the House concurring,) That the joint rules of the Senate and House of Representatives, and the rules of the Senate and House of Representatives in joint convention, adopted in 1853, be adopted as the joint rules of the Senate and House of Representatives, and the rules of the Senate and House of Representatives in joint convention.

Which message and resolution were laid on the table:

SENATE CHAMBER,
Lansing, January 18, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to return to the House of Representatives, House bill No. 3, being,

A bill supplementary to an act entitled "an act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes,"

In which the Senate have concurred by a vote of a majority of all the Senators elect, and by a vote of two-thirds of all said Senators have ordered the same to take immediate effect.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which message was laid on the table, and the bill ordered enrolled.

Mr. Church moved to take from the table the concurrent resolution relative to the rules, sent down from the Senate to-day, and that the House concur therein.

Which motion prevailed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Wells, pursuant to previous notice, asked leave to introduce,

A bill to authorize the Water Commissioners of the city of Detroit to borrow money for the purpose of extending and improving the water works of said city.

Leave being granted, the bill was introduced, read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. Sherman asked and obtained leave to introduce,

A bill to provide for the taxation of certain mining companies in the Upper Peninsula.

Which bill was read a first and second time, and referred to the committee on Banks and Incorporations.

On motion of Mr. Gregory, it was

Resolved, That the committee on the Judiciary be requested to consider the propriety of reporting a bill authorizing the boards of supervisors, under certain regulations, to extend the time of collection and return of taxes, and providing that the Legislature be relieved from all legislation upon such subjects.

On motion of Mr. McIntyre, it was

Resolved, That the Speaker be instructed to appoint two additional messengers of the House.

Mr. Mussey gave notice, that on some future day he would ask leave to introduce,

A joint resolution relative to the respective claims of Loren Andrews, Daniel W. Noyes, Hiram W. Miller, and Wm. Miller, heirs and legal representatives of Joseph Miller, deceased.

Mr. Power gave notice that he would on a future day ask leave to introduce,

A bill making an appropriation for the benefit of the Michigan State Agricultural Society.

Mr. Hall gave notice, that on some future day he would ask leave to introduce

A bill relating to burying grounds.

Mr. Strang moved that a bill to enlarge the county of Grand Traverse, be taken from the table and printed.

Carried.

Mr. Gregory gave notice that he should, on some future day, ask leave to introduce,

A bill relative to an exchange of lots with the First Baptist Church and Society of Lansing; also, relative to an exchange of lots with the First Presbyterian Society, of Lansing; also,

A joint resolution relative to the distribution of the session laws, journals and documents of the Legislature, for the year eighteen hundred and fifty-five.

UNFINISHED BUSINESS.

The House took up,

A bill to define the manner in which the homestead may be selected and designated,

Which had been reported by the committee of the Whole, with amendments, the same being the unfinished business of the preceding day; when,

On motion of Mr. Judd,

The bill was re-committed to the committee on the Judiciary.

On motion of Mr. Church,

The bill offered by Mr. Hall, with the same title, was taken from the table, and also re-committed to the same committee.

GENERAL ORDER.

The House having reached the general order, went into committee of the Whole,

Mr. McIntyre in the chair.

And after spending some time thereon, rose and through their chairman, reported back to the House, House bill No. 17, without amendment; also House bill No. 13, with amendment, in which they asked the concurrence of the House; also that the committee had had under consideration House bill No. 19, and made some progress, and asked leave to sit again.

Which report was accepted, the committee granted leave to sit again, the amendments concurred in, and

A bill to organize the county of Iosco; also,

A bill to take certain sections from the township of Ira, and attach the same to the township of Cottrellville; also, to take certain sections from the township of Ira, and attach the same to the township of Clay.

As amended, ordered engrossed for a third reading.

On motion,

Adjourned till to-morrow morning at 9 o'clock.

Lansing, Saturday, January 20, 1855.

The Speaker called the House to order at 9 o'clock.

Roll called; a quorum present.

On motion of Mr. Gregory,

The reading of the journal was dispensed with.

PETITIONS PRESENTED.

By Mr. McIntyre: of Geo. W. Miller, treasurer of the township of Ann Arbor, praying for an extension of the time for the collection of taxes in said township.

Also, of Alonzo Healy, treasurer of the city of Ann Arbor, for the same.

Referred to the committee on Towns and Counties.

By Mr. Tompkins: of Nathan Mount and 114 others, legal voters of the town of Girard, county of Branch, for a prohibitory liquor law.

Referred to the select committee on the Prohibitory Liquor Law.

By John Divine: of G. W. Pack and 181 others; also, of John L. Woods and others, citizens of the county of Sanilac, asking to have the south half of town ten north, of range twelve east, attached to the said county of Sanilac.

Referred to the committee on Towns and Counties.

By Mr. Lomison: of George B. Reed and 10 others, for the establishment of an Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. Moorman: of H. E. Baker and numerous others, asking for a registry law.

Referred to the committee on the Judiciary.

By Mr. J. Divine: of M. Carrington and 180 others, citizens of the county of Sanilac, remonstrating against the passage of "an act to establish the northern boundary of the county of Lapeer," by which act it is proposed to take from the said county of Sanilac, the north half of town ten north, of range twelve east, and attach the same to the county of Lapeer.

Laid on the table.

By Mr. Chatfield: of D. C. Griffith and 21 others, citizens of the village of Nova Scotia, Ingham county, praying that the name of said village may be changed to that of Onondaga.

Laid on the table.

By Mr. Gregory: of Mrs. Mary S. Noyes, Carrie P. Hendrick and 78 other ladies of the township of Plymouth, county of Wayne, praying for a prohibitory liquor law.

Referred to the select committee on the Prohibitory Liquor Law.

By Mr. Ewell: of D. H. Brown and 69 others, for the repeal of act No. 96 of the session laws of 1849, requiring the board of supervisors to raise a direct tax for the benefit of the Agricultural Society, also, for the repeal of section one of act No. 197, entitled "an act to organize the Michigan State Agricultural Society," laws of 1849.

Referred to the committee on Agriculture and Manufactures.

By Mr. Williams: of A. Gray and 47 other citizens of the village of Dexter, in the county of Washtenaw, asking to be incorporated into a village or town corporate, by the name of the Village of Dexter.

Referred to the select committee on that subject.

REPORTS OF STANDING COMMITTEES.

Mr. McIntyre, from the committee on Education, reported and recommended the passage of,

A bill for the relief of School Districts.

Report accepted, committee discharged, bill read a first and second time, ordered printed, referred to committee of the Whole, and placed on the general order.

Mr. White, from the committee on Towns and Counties, to whom was referred,

A bill to extend the time for the collection and return of taxes in the townships of Muskegon, Wright, and White River, in the county of Ottawa,

Reported that the committee had had the subject under consideration, and had instructed their chairman to report the same back to the House without amendment, and recommend that it do pass, and the committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, bill ordered printed, referred to committee of the Whole and placed on the general order.

Mr. White, from the committee on Towns and Counties, to whom was referred,

A bill to organize the county of Alpena,

Reported that the committee had had the subject under consideration and instructed their chairman to report the same back to the House without amendment, and recommend that it do pass, and the committee be discharged from the further consideration of the subject.

Report accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. White, from the committee on Towns and Counties, to whom was referred the petition of Simeon Davidson and others, of the township of Macon, in the county of Lenawee, praying that the general tax law, approved February 14, 1853, be so amended as to confer upon townships a discretionary authority to elect one or more assessors to aid the supervisors in assessing the value of property for taxation, reported that the committee had had the subject of the petition under consideration, and instructed their chairman to report adversely to the

prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill laid on the table.

Mr. P. Power, from the select committee, to whom was re-committed,

A bill to prevent the manufacture and use of intoxicating liquors as a beverage, with various amendments thereto,

Reported the same back to the House, with a substitute therefor, being Senate bill No. 22, recommended its passage, and asked to be discharged from the further consideration of the subject.

Which report was accepted, committee discharged, the substitute adopted, and,

On motion of Mr. Gregory,

The bill was made the special order of the day, for Monday next.

Mr. Littlejohn, from the committee on State Affairs, to whom was referred a joint resolution relative to the claim of the Saut Ste. Marie Plank Road Company,

Reported a statement of facts with a substitute, which report was laid on the table and ordered printed; and which substitute was adopted, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Moorman, from the committee to whom was referred a bill to authorize the holding of a special election in Cheboygan, reported that they had had the same under consideration, and referred the said bill back without amendment, recommended its passage and asked to be discharged from further consideration of the same.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole and placed on the general order.

Mr. R. K. Divine, from the committee on Roads and Bridges, to whom was referred the petition of Stephen Rossman and 87 others, for the passage of an act to establish a State road from Greenville to the Rapids of the Muskegon river, reported that they had had the matter under consideration, and presented an act for that purpose, of which they recommended the passage, and asked to be discharged from the further consideration thereof.

The committee on Public Lands, made the following report:

The committee on Public Lands have had the following under consideration, and report the same back, through their chairman, and ask to be discharged from the further consideration thereof:

A joint resolution from the Senate, for restoration of forfeited rights of heirs of Charles Bond, for non-payment of interest, to certain University Lands, and recommend that it do pass.

Also, a bill to amend an act, entitled "an act for the relief of James Waters," approved February 5, 1853, and recommend that the same do pass.

JAMES W. SANBORN,

Chairman.

Which report was accepted, the committee discharged, and the joint resolution and bill were ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Enos, from the committee on Printing, in pursuance of a resolution of the House, instructing them to cause two thousand copies of the complete report of the Superintendent of Public Instruction, to be printed for the use of this House, and to have the same delivered to the House before the Legislature shall adjourn, reported that they had discharged that duty, and asked to be discharged from the further consideration thereof.

Which report was accepted, and the committee discharged.

The committee on the State Library made the following report:

The committee on the State Library, to whom was referred a memorial of the New York Law Institute, for the formation of a Law Library in the city of New York, have had the same under consideration, and fully concurring in the views therein expressed, have instructed me to report favorably to the prayer of the memorialists, and to prepare and introduce a joint resolution to give effect to the same, which is herewith respectfully submitted, and its passage recommended, and the committee ask to be discharged from the further consideration of the subject.

TOLMAN W. HALL,

Chairman.

The report was accepted, the committee discharged, and the joint resolution read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Stout, from the committee on Engrossment and Enrollment, reported as correctly engrossed, House bill No. 17, entitled,

A bill to organize the county of Iosco;

Also, House bill No. 13, entitled,

A bill to take certain sections from the township of Ira and attach the same to the township of Cottrelville, also, to take certain sections from the township of Ira and attach the same to the township of Clay.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 19, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House of Representatives, House bill No. 5, being,

A bill to provide for the collection of taxes in the township of Buena Vista, in the county of Saginaw, for the year 1854, and to extend the time for the collection thereof; also,

Concurrent resolution relative to printing.

In each, the Senate have concurred by a vote of a majority of all the Senators elect, and by a two-thirds vote ordered the same to take immediate effect.

Also, to transmit,

Joint resolution relative to slavery in the Territories,

Which the Senate have passed by a vote of a majority of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

L. W. WILDER,
Sec'y Senate.

The message was laid on the table; House bill No. 5 and joint resolution relative to printing, ordered engrossed for a third reading, and the joint resolution of the Senate respecting slavery in the Territories, read a first and second time, when

Mr. Beecher moved to suspend the rule requiring the second and third reading on different days, that the joint resolution relative to slavery in the territories might be put upon its immediate passage.

Which motion was opposed by Messrs. Church, Fitch and others, and withdrawn by the mover, when

Mr. Beecher moved that the joint resolution be printed, and made the special order for Tuesday next.

Which motion prevailed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. N. Power, in pursuance of previous notice, asked leave to introduce,

A bill making an appropriation for the benefit of the Michigan State Agricultural Society.

Leave being granted, the bill was read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Mussey, pursuant to previous notice, asked leave to introduce,

A joint resolution relative to the respective claims of Lorin Andrews, David W. Noyes, Hiram W. Miller, and Wm. Miller, legal heirs and representatives of Joseph Miller, deceased.

Leave was granted, and the bill was read a first and second time, and referred to the committee on Public Lands.

On motion of Mr. Stout, it was,

Resolved, That the committee on Printing be authorized to employ a clerk to assist in the compilation of the Manual.

Mr. Gregory offered the following resolution:

Resolved, That rule second of the rules of this House be suspended, and the daily reading of the journal be dispensed with, until otherwise ordered.

Which resolution was passed by a two-third vote.

Mr. Church moved to reconsider the vote by which the above resolution was adopted,

Which motion prevailed; when,

Mr. Church offered the following as a substitute therefor:

Resolved, That so much of rule 2d as requires that the journal of the preceding day be read on the appearance of a quorum, be suspended.

Which substitute was accepted by Mr. Gregory, and adopted by a two-thirds vote of the House.

Mr. Hall, pursuant to notice, asked leave to introduce,

A bill relating to burying grounds.

Leave granted, and the bill read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. McIntyre, with the unanimous consent of the House, introduced a memorial of E. O. Haven, A. S. Welch, and J. A. B. Stone, committee of the State Teachers' Association, with the concurrence of Levi Bishop, E. C. Walker, U. Tracy Howe, James V. Campbell, Z. Pitcher, D. Bethune Duffield, Orson Jackson, Joseph Warren, and Ira Mayhew, uniting in the prayer of the memorialists, asking for an appropriation to furnish three copies of the Michigan Common School Journal and Teachers' Magazine to every township in the State in which common school district libraries are established.

The memorial was laid on the table and ordered printed.

On motion of Mr. Beecher, it was

Resolved, That the Clerk of this House see that the joint resolution relating to slavery in the Territories be printed and laid on the members' tables on Monday next.

GENERAL ORDER.

The House having reached the general order, the committee of the Whole resumed its session,

Mr. McIntyre in the chair.

And after spending some time thereon, rose, and through their chairman, reported back to the House, House bills No. 21 and 14, and Senate bills No. 6 and 4, without amendment, and House bills No. 12 and 23, with amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration thereof.

The report was accepted and the committee discharged; when,

On motion of Mr. Sherman,

House bill No. 21 was re-committed to the committee on State Affairs, with instructions to add a new section.

The amendments made in committee of the Whole were then concurred in; when,

On motion of Mr. Littlejohn,

House bill No. 14 was indefinitely postponed, the same being,

A bill to amend section 87 of chapter 16, title 4, of the revised statutes of 1846.

Mr. Strang moved the indefinite postponement of Senate bill No. 6, being,

A bill to change the name of Alvah H. Bull, and others.

Which motion was lost by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-------------|------------------|
| Mr. Atwood, | Mr. Duncan, | Mr. H. Montague, |
| Ashmun, | DuPuy, | Parsons, |
| Barclay, | Ewell, | Reynolds, |
| Beecher, | Fitch, | St. Aubin, |
| Brownell, | Hathaway, | Sherman, |
| Cady, | King, | Stout, |
| Chamberlin, | Kirkland, | Strang, |
| Chapel, | Littlejohn, | Sutherland, |
| Chatfield, | Lomison, | Wendell, |
| Church, | Lovell, | Wilbur, |
| J. Divine, | | |

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NAYS.

| | | |
|---------------|-----------------|------------|
| Mr. Brown, | Mr. McIntyre, | Mr. Ralph, |
| B. K. Divine, | Middlesworth, | Sanborn, |
| Dunakin, | Miller, | Shier, |
| Eddy, | Mills, | Smith, |
| Edwards, | D. N. Montague, | Tiffany, |
| Gilman, | Moorman, | Tompkins, |
| Gregory, | Mussey, | Ward, |
| Hall, | Noble, | Wells, |
| Hixon, | Parker, | White, |
| Hurd, | Pettit, | Whitmore, |
| Judd, | N. Power, | Williams, |
| Lapham, | P. Power, | Speaker, |
| Luce, | | |

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The bill was then ordered to be engrossed for a third reading.

House bill No 9, being

A bill to amend an act entitled "an act for the encouragement of agriculture, manufactures and the mechanic arts;

Also, House bill No, 23, being

A bill to organize the township of Forrester;

Also, Senate bill No. 4, being

A bill to change the name of Elizabeth Alger,

Were severally ordered to be engrossed for a third reading.

The Speaker, with the consent of the House, announced the following message from the Governor:

EXECUTIVE OFFICE,
Lansing, January 20, 1855. }

To the Speaker of the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, "a joint resolution relative to the printing of a Manual.

K. S. BINGHAM.

Also, the following report of the Commissioners of the St. Mary's Ship Canal:

DETROIT, Jan 17, 1855.

To the Hon. CYRUS LOVELL,

Speaker of the House of Representatives:

The Commissioners of the St. Mary's Ship Canal, in compliance with a resolution passed by the House of Representatives on the 8th inst., have the honor to report:

That at the date of the last visit to the Canal by a portion of the Commissioners on the 25th of November last, the condition and state of the work was as follows:

Locks—entirely finished.

Slope walls—finished with the exception of about thirty yards.

Excavations—nearly completed, probably from 1500 to 2000 yards remaining to be excavated, of rock chiefly.

Dredging—some land to be dredged on the outside of upper coffer dam, requiring about one week's labor. Dredging at lower end completed, leaving coffer dam only to be removed.

Caisson gates—one in its place finished—the other nearly completed.

Piers—lower one finished—upper one needed one course of timber about 200 feet long, and three courses of about the same length.

Lock-tender's houses—built, but to be placed on their foundation and painted—gates required one coat of paint.

The Commissioners are unable to give more exact details of the condition of the work, as the only copy of the Report of the Engineer which contained them, has been placed in the hands of the Governor; to that report they beg leave to refer the Legislature.

In the opinion of the Commissioners no further legislation is required to secure the completion of the canal, as they have the full conviction it will be finished within the time fixed by the contract.

With regard to the management of the canal when completed, they recommend that a law be passed providing for the appointment of three Commissioners, who shall be invested with full power to prepare a system of rules and regulations for the use of the canal; fix and alter the rate of tolls at their pleasure, appoint and remove the necessary officers and agents, and have the entire control and management of the canal. Authority should be given the Commissioners to anticipate the revenues of the canal by a loan, for the purpose of making repairs when necessary.

All of which is respectfully submitted.

HENRY LEDYARD,

Sec'y of the Board of Commissioners, St. Mary's Ship Canal.

The above report is concurred in by Messrs. Joslin, Conant, and Ledyard; by W. A. Williams, as far as relates to the legislation recommended for the management of the canal—Governor Barry absent.

HENRY LEDYARD,

Secretary.

Since this report was prepared, a communication has been received from the Hon. John L. Clark, Chief Engineer of the St. Mary's Canal, giving his views with regard to its management, which will be found to agree substantially with those expressed by the Commissioners. An extract from the letter is annexed.

HENRY LEDYARD,

Sec. of the Board of Com'rs of St. Mary's Ship Canal.

[EXTRACT.]

STATE ENGINEER & SURVEYOR'S OFFICE, }
Albany, January 13, 1855. }

To H. LEDYARD, Esq., *Sec'y of Com'rs of St. Mary's Canal:*

* * * * * In my judgment, the best system your State can adopt for the management of the St. Mary's Canal, is briefly as follows:

1st. Three or more Commissioners, to be appointed by the Senate, on the nomination of the Governor, without reference to political parties. My experience has convinced me that in all such appointments

the more you can concentrate responsibility, the better will the public interest be promoted.

2d. The Commissioners thus appointed to have the general control and supervision over all matters relating to the works, and the use of them by the public—to establish such tariff of prices on vessels and property passing through the canal as they may deem best, to produce the revenue required by law.

3d. The Commissioners to appoint a superintendent of repairs, and a collector of tolls, prescribing the duties of each. The former should attend in person to the repairs, navigation and improvements of the canal, and the works connected therewith. Such superintendent to be responsible to the Commissioners, and being thus responsible, he should appoint all subordinates under him.

4th. The Commissioners to report biennially to the Legislature, showing the true condition of the works, the revenue, &c., and recommending such legislation as their experience and observation may approve.

Such, in substance, is the system I would recommend. But in maturing a law, many improvements and salutary provisions might, undoubtedly, be added.

* * *

(Signed,)

JOHN L. CLARK.

On motion of Mr. Church,

The report was laid on the table and ordered printed.

On motion,

The House adjourned till 2 o'clock.

AFTERNOON SESSION.

House called to order at 2 o'clock, P. M.

Roll called, and a quorum found present.

Leave of absence was asked and obtained for Mr. Ross until Tuesday, and for Mr. Ives until Monday.

The Speaker announced the appointment of William M. Green and Jesse W. Parker, as messengers to this House.

GENERAL ORDER.

The House went into committee of the Whole, on the general order, Mr. Parsons in the chair.

After having spent some time thereon, the committee rose, and through their chairman reported back to the House, several bills, to some of which they had made amendments, in which the concurrence of the House was asked; also, that the committee had had under consideration House bill No. 26, in which they had made some progress, and asked leave to sit again.

The report was accepted, the committee discharged, and the amendments concurred in by the House.

House bill no 36, with corresponding amendments; also, House bills Nos. 29 and 30 were severally ordered to be engrossed for a third reading.

On motion,

The House adjourned until Monday morning, at 9 o'clock.

Lansing, Monday, January 22, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Franklin.

Roll called; a quorum present.

PETITIONS.

By Mr. Ralph: of 212 ladies, also of 168 gentlemen, residents of Jonesville, praying the passage of a law prohibiting the sale of intoxicating liquors.

Referred to the select committee on the Prohibitory Liquor Law.

By Mr. Williams: of Hiram Elmer and 20 others, asking the Legislature to set apart a fund from the proceeds of the sales of swamp lands for the purpose of establishing a female college for the education of the young ladies of the State.

Referred to the committee on Education.

By Mr. Ewell: of Calvin Peirce and 40 others, asking the repeal of the law that provides for raising one dollar to the scholar, and to provide for an equal and uniform taxation for the support of primary schools.

Referred to the committee on Education.

By Mr. Pettit: a resolution of the Board of Supervisors of Clinton county, asking discretion in reference to the disposition of the library money raised in said county, and to appropriate the same to teachers' compensation.

Referred to the committee on Education.

By Mr. Lapham: petition of L. P. Clark and 50 others, citizens of Plainfield, Kent county, praying that no alteration may be made in the present boundaries of said township.

Referred to the committee on Towns and Counties.

By Mr. Ralph: of 121 inhabitants of Jonesville, asking the Legislature to appropriate a portion of the proceeds from the sale of swamp lands for the endowment of female seminaries.

Referred to the committee on Education.

By Mr. Sanborn: of John L. Woods, of Sanilac county, remonstrating against the passage of an act to define the northern boundary of the county of Lapeer, by which it is proposed to take from the county of Sanilac the north half of township ten north, of range number twelve east, and attach the same to Lapeer county.

Referred to the committee of the Whole.

By Mr. Mills: of 67 citizens of the township of Grass Lake, asking the enactment of a law to prohibit the manufacture and sale of intoxicating drinks as a beverage.

Referred to the select committee on the Prohibitory Liquor Law.

Also, of 28 citizens of the county of Jackson, asking for the establishment of an Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. McIntyre: of Wm. Barclay, H. H. Emmons, O. M. Hyde C. P. Bush and others, asking for the appointment of a Professor of Homeopathy in the University.

Referred to the committee on Education.

By Mr. H. Montague: of R. R. Prentice and 31 others, relative to appropriations for educational purposes; also, of Samuel Graves, and 93 others, for the same.

Referred to the committee on Education.

By Mr. Gregory: of J. S. Tibbits and 21 other citizens of the township of Plymouth, Wayne county, praying for the establishment of an Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. Williams: of T. Alexander and 21 others, that the Regents of the University create a chair of homeopathy, and appoint a Professor thereto.

Referred to the committee on Education.

By Mr. Cady: of Oliver Johnson and 57 others, to extend the elective franchise.

Referred to the committee on Privileges and Elections.

By Mr. Church: resolutions of the board of supervisors of the county of Kent, relative to certain expenses incurred by said county in the detention and maintainance of State witnesses in the case of "the people of the State of Michigan *vs.* George M. Mills, Eleazer Donelly, and others."

Laid on the table.

By Mr. Parsons: of Chauncey Bush and others, of Shiawassee county, asking an appropriation for the establishment of an Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. Stout: of J. G. Summers and others, praying the repeal of act No. 96, authorizing a tax for Agricultural Societies.

Referred to the committee on Agriculture and Manufactures.

REPORTS OF STANDING COMMITTEES.

Mr. Stout, from the committee on Engrossment and Enrollment reported as correctly engrossed,

A bill to provide for laying out private roads.

A bill to organize the township of Forrester.

A bill to change the name of Elizabeth Alger.

A bill to amend certain sections of chapter 24, title six of the revised statutes.

A bill to amend an act, entitled "an act for the encouragement of agriculture, manufactures and the mechanic arts.

A bill to change the name of Alvah H. Bull, George W. Bull, Philo Bull, Ransom Bull, John Bull, Russell Bull, Hiram Bull, and Albert Bull.

Also, as correctly enrolled, signed and presented on Saturday, to the Governor for approval,

An act to enlarge the powers of School District No. 11, in the city and township of Ann Arbor, in the county of Washtenaw.

Also, an act to amend sections 13 and 15 of an act entitled "an act relative to Free Schools in the city of Detroit," approved February 17, 1842.

Mr. McIntyre, from the committee to whom was referred sundry petitions asking for the creation of a chair of Homeopathy in the medical department of the University, and the appointment of a Professor thereto, reported that they had had the same under consideration, and submitted,

A bill to amend an act entitled an act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846, approved April 8, 1851,

Without recommendation, and with the understanding that the individual members of your committee reserve to themselves the right of freely discussing and of supporting or opposing the passage of the bill.

The report was accepted and ordered printed, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. White, from the committee on Towns and Counties, to whom was referred,

A bill to provide for the improvement of the mouth of the Ontonagon river,

With instructions to report back the bill to the House, with an additional section, giving to the board of supervisors authority in the premises, reported that agreeably to instructions, the committee had had the subject under consideration, and had instructed their chairman to report back the bill with the amendment, and recommend the concurrence of the House therein, and that the committee be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the amendment concurred in, and the bill as amended ordered engrossed for a third reading.

Mr. McIntyre, from the committee on Banks and Incorporations, to whom was referred,

A bill to authorize the Water Commissioners of the city of Detroit to loan money for the purpose of extending and improving the water works of said city,

Reported that the committee had had the same under consideration, and had instructed their chairman to report the same back to the House without amendment, to recommend its passage, and ask to be discharged from the further consideration of the subject.

Which report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole and placed on the general order.

The committee on the Judiciary made the following report:

The Judiciary committee have instructed me to report to the House,

A bill to provide for reporting cases determined by the Supreme Court, and that they recommend the passage thereof.

A. R. TIFFANY,

Chairman.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on the Judiciary, to whom was referred Senate bill to amend sections 7, 8, and 13; of chapter 148, of the revised statutes of 1846, relative to jails and the prisoners therein, have had the same under consideration, and have instructed me to report the same back to the House, with a recommend that it do pass, and ask to be discharged from the further consideration of the same.

A. R. TIFFANY,

Chairman.

Which report was accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on the Judiciary, to whom was referred,

A bill to amend sections 8, 28, and 30, of chapter 134, of the revised statutes of 1846,

Have had the same under consideration, and have instructed me to report the same back, with a recommendation that it do not pass, and ask to be discharged from the further consideration of the same.

A. R. TIFFANY,

Chairman.

Report accepted, committee discharged, and the bill laid on the table.

Also, the following:

The committee on the Judiciary, to whom was referred,

A bill to amend section 52, chapter 14, title 3, revised statutes of 1846, relative to Judges of Probate, and also the resolutions of the Board of Supervisors of the county of Kent,

Have had the same under consideration, and have instructed me to report the same back, with a substitute therefor, of which they recommend the adoption, and also recommend that the bill, thus amended, do pass, and ask to be discharged from the further consideration of the subject.

A. R. TIFFANY,

Chairman.

Report accepted, committee discharged, and the substitute ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The Judiciary committee, to whom was referred the petition of Jas. Whitcomb, and 31 others, praying for the appointment of Inspectors of Surveyors, have had the same under consideration, and have instructed me to report adversely to the prayer of said petition, and ask to be discharged from the further consideration thereof.

A. R. TIFFANY,

Chairman.

Report accepted, committee discharged, and

On motion of Mr. Church,

The petitioners were granted leave to withdraw their petition.

Also, the following:

The committee on the Judiciary, to whom was referred,

A bill to amend sections 1 and 7, and to repeal sections 6, 9, and 10, of chapter 85, title 20 of the revised statutes of 1846,

Have had the same under consideration, and have instructed me to report the same back, with a recommend that it do not pass, and ask to be discharged from the further consideration of the same.

A. R. TIFFANY,

Chairman.

The report was accepted, committee discharged, and the bill laid on the table.

The committee on the Judiciary, to whom was referred,

A bill to amend section 25, of chapter 153, of the revised statutes of 1846,

Report that they have had said bill under consideration, and referred the same back, and recommend that it do not pass, for the reason that the same is inexpedient.

Report accepted, committee discharged, and the bill laid on the table.

MESSAGES.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 20, 1855. }

To the Speaker of the House of Representatives:

SIR—I transmit herewith Senate bill No. 25, being,

A bill to re-enact sections 24 and 25, of chapter ninety of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining of suits in equity, approved June 28, 1851.

Also, Senate bill No. 8, being,

A bill to provide for the commencement of suits in courts of record, and restore sections 2 and 3, of chapter 97 of the revised statutes of 1846,

Each of which the Senate have passed by a majority vote of all the Senators elect, and have by a two-thirds vote of the same, ordered the last named bill to take immediate effect.

In which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,
Secretary of the Senate.

The message was laid on the table, and the bills, being Senate bills Nos. 8 and 25, were read a first and second time, and

Referred to the committee on the Judiciary.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Littlejohn, in pursuance of previous notice, leave being granted introduced,

A bill ceding jurisdiction to the United States, over certain tracts of land for light houses.

Read a first and second time, and

Referred to the committee on State Affairs.

On motion of Mr. McIntyre, it was

Resolved, That the use of the Hall of this House be granted for this evening, to Professor Haven, of the University, for the purpose of delivering an address on the subject of education, and to such other friends of the cause of education, as he may invite to make remarks on that subject.

Mr. Church gave notice that on to-morrow, or some subsequent day he should ask leave to introduce,

A joint resolution relative to expenses incurred by the county of Kent, in the custody and maintainance of certain State witnesses.

Mr. Ashmun, pursuant to previous notice, asked leave to introduce,

A bill to amend an act entitled "an act to organize the county of Midland," approved March 29, 1850.

Leave being granted, the bill was read a first and second time, and

Referred to the committee on Towns and Counties.

Mr. Hall asked leave, pursuant to previous notice, to introduce,

A bill to prevent the wrongful taking of fruit, ornamental or shade trees, &c.

Leave being granted, the bill was read a first and second time, and

Referred to the committee on the Judiciary.

On motion of Mr. McIntyre, it was

Resolved, That the committee on the Judiciary be instructed to inquire immediately, whether any legislation is necessary to authorize the taxation of incorporations, their franchises, property, by towns, cities or villages in which the same shall be situated, or through which they pass in case the specific tax to be paid by such corporations shall only be in lieu of the State tax, and if in the opinion of said committee, any further legislation is necessary to effect that object; that they report a bill containing the necessary provisions for that purpose.

Mr. Middlesworth asked and obtained leave to introduce,

A bill to regulate informalities.

Read a first and second time, and referred to a select committee of five, appointed by the Speaker, viz: Messrs. Middlesworth, Reynolds, J. Divine, Strang and Brown.

On motion of Mr. H. Montague, it was,

Resolved, That the committee on State Affairs be instructed to inquire into the claim of T. S. Atlee, Register of the United States Land Office, at Kalamazoo, Michigan, for compensation for registering upon the books of his office, the swamp lands granted to the State by act of Congress of 28th September, 1850.

Mr. Brownell gave notice, that on some future day, he would ask leave to introduce,

A bill to amend section 2 of chapter 23, title 5 of the revised statutes of 1846.

Mr. Ashmun gave notice, that on some future day, he would ask leave to introduce,

A bill to attach the counties of Gladwin and Isabella to the county of Midland, for judicial and municipal purposes.

Mr. Strang, pursuant to previous notice, asked leave to introduce,

A bill to provide for the construction of a road from the straits of Michilimackinac to Sault Ste Marie.

Leave being granted, the bill was introduced, read a first and second time, and

Referred to the committee on Roads and Bridges.

THIRD READING OF BILLS.

A bill to take certain sections from the township of Ira and attach the same to the township of Cottrelville; also, to take certain sections from the township of Ira and attach the same to the township of Clay, was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. N. Power, |
| Ashmun, | Hixon, | P. Power, |
| Barclay, | Hurd, | Ralph, |
| Beecher, | Judd, | Reynolds, |
| Brownell, | King, | Sanborn, |
| Cady, | Kirkland, | St. Aubin, |
| Chamberlin, | Littlejohn, | Sherman, |
| Church, | Lomison, | Smith, |
| J. Divine, | Lovell, | Stout, |
| R. K. Divine, | Luce, | Strang, |
| Dunakin, | McIntyre, | Sutherland, |
| Duncan, | Middlesworth, | Tiffany, |
| DuPuy, | Miller, | Tompkins, |
| Eddy, | D. N. Montague, | Ward, |
| Edwards, | H. Montague, | Wells, |
| Euca, | Moorman, | Wendell, |

Ewell,
Fitch,
Gilman,
Gregory,
Hall,

Mussey,
Noble,
Parker,
Parsons,
Pettit,

White,
Whitmore,
Wilbur,
Williams,
Speaker.

63

NAYS.

0

Mr. Church moved to amend the title by inserting the words "in the county of St. Clair," in the first line, after the word "Ira," and the words "in said county," after the word "Cottrelville," in the second line, and the words "in said county," after the word "Clay," in the last line.

Which motion prevailed.

Mr. Stout moved to strike out of the title the word "attach," wherever it occurs, and insert therefor the word "annex."

Which motion prevailed.

On motion of Mr. Ward,

The bill was ordered to take immediate effect.

A bill to organize the county of Iosco,

Was read a third time, and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beecher,
Brownell,
Cady,
Chamberlin,
Chapel,
Chatfield,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,
Gilman,
Gregory,

Mr. Hall,
Hathaway,
Hixon,
Hurd,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Middlesworth,
Miller,
Milla,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Sanborn,
St. Aubin,
Sherman,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

59

NAYS.

Mr. Luce,

Mr. D. N. Montague.

2

Mr. D. N. Montague moved to amend the title by adding thereto the words, "and to organize certain townships therein named."

Lost.

The bill was then, by a vote of two-thirds of all the members elect, ordered to take immediate effect.

A bill for the incorporation of charitable societies,

Was read a third time, and passed, (Mr. Mills being excused from voting,) by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. King, | Mr. Ralph, |
| Barclay, | Kirkland, | Sanborn, |
| Beecher, | Lapham, | St. Aubin, |
| Cady, | Lomison, | Shier, |
| Chapel, | Lovell, | Smith, |
| Chatfield, | Luce, | Stout, |
| Church, | McIntyre, | Strang, |
| J. Divine, | Middlesworth, | Sutherland, |
| R. K. Divine, | D. N. Montague, | Tiffany, |
| Dunakin, | H. Montague, | Tompkins, |
| Duncan, | Moorman, | Ward, |
| DuPuy, | Mussey, | Wells, |
| Eddy, | Noble, | Wendell, |
| Edwards, | Parker, | White, |
| Enos, | Parsons, | Whitmore |
| Fitch, | Pettit, | Wilbur, |
| Gilman, | N. Power, | Williams, |
| Hurd, | P. Power, | Speaker, |
| Judd, | | |

55

NAYS.

| | | |
|-------------|---------------|-------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Miller, |
| Brownell, | Hixon, | Reynolds, |
| Ewell, | Littlejohn, | Sherman, |
| Hall, | | |

10

The bill was then ordered to take immediate effect.

A bill to amend certain sections of chapter 24, of title 6 of the revised statutes,

Was read a third time, when

Mr. Sanborn moved to re-commit the bill, with instructions to strike out "one dollar," in the third line, and insert "seventy-five cents," and amend said bill in conformity thereto.

Which motion was withdrawn, and

Mr. Sanborn moved to re-commit, with instructions to provide for the collection of all highway taxes in money, and the same be expended under the directions of the highway commissioners.

Mr. Church called for a division of the question.

The same being taken on the motion to recommit, it was lost.

The bill was then passed by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hall, | Mr. N. Power, |
| Ashmun, | Hathaway, | P. Power, |
| Barclay, | Hurd, | Ralph, |
| Brown, | Judd, | Reynolds, |
| Brownell, | King, | St. Aubin, |
| Cady, | Kirkland, | Sherman, |
| Chapel, | Lapham, | Shier, |
| Chatfield, | Littlejohn, | Strang, |
| Church, | Lomison, | Sutherland, |
| J. Divine, | Luce, | Tiffany, |
| R. K. Divine, | McIntyre, | Tompkins, |
| Duncan, | Middlesworth, | Ward, |
| DuPuy, | D. N. Montague, | Wells, |
| Eddy, | H. Montague, | Wendell, |
| Edwards, | Moorman, | White, |
| Enos, | Mussey, | Whitmore, |
| Ewell, | Parker, | Williams, |
| Fitch, | Parsons, | Speaker, |
| Gregory, | Pettit, | |

56

NAYS.

| | | |
|--------------|-------------|------------|
| Mr. Beecher, | Mr. Miller, | Mr. Smith, |
| Gilman, | Mills, | Stout, |
| Hixon, | Noble, | Wilbur, |
| Lovell, | Sanborn, | |

11

Mr. Church moved to amend the title by adding thereto the words "relative to the duty of overseers of highways."

Which motion prevailed.

A bill to amend an act entitled "an act for the encouragement of agriculture, manufactures, and the mechanic arts.

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. King, | Mr. P. Power, |
| Barclay, | Kirkland, | Ralph, |
| Beecher, | Lapham, | Reynolds, |
| Brown, | Littlejohn, | Sanborn, |
| Brownell, | Lomison, | Shier, |
| Cady, | Lovell, | Smith, |

| | | |
|---------------|-----------------|-------------|
| Chamberlin, | Luce, | Stout, |
| Chatfield, | McIntyre, | Strang, |
| Church, | Middlesworth, | Sutherland, |
| J. Divine, | Miller, | Tiffany, |
| R. K. Divine, | D. N. Montague, | Tompkins, |
| Dunakin, | H. Montague, | Ward, |
| Duncan, | Moorman, | Wells, |
| DuPuy, | Mussey, | Wendell, |
| Edwards, | Noble, | White, |
| Enos, | Parker, | Whitmore, |
| Fitch, | Parsons, | Wilbur, |
| Hurd, | Pettit, | Williams, |
| Judd, | N. Power, | Speaker, |

57

NAYS.

| | | |
|-------------|-------------|------------|
| Mr. Ashmun, | Mr. Gilman, | Mr. Hixon, |
| Chapel, | Gregory, | St. Aubin, |
| Eddy, | Hall, | Sherman, |
| Ewell, | Hathaway, | |

11

Mr. Littlejohn moved to amend the title by adding thereto, the words "approved March 16, 1849."

Which motion prevailed.

A bill to provide for laying out private roads.

Was read a third time, when

Mr. Judd moved to re-commit, with instructions to amend so as to allow the laying out of roads therein named without the intervention of a jury, where the parties interested may have agreed as to the amount of damages.

Mr. Church called for a division of the question, which being taken on the proposition to re-commit, the motion was lost, and the bill passed by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Atwood, | Mr. Hall, | Mr. N. Power, |
| Ashmun, | Hathaway, | P. Power, |
| Barclay, | Hixon, | Ralph, |
| Beecher, | Hurd, | Reynolds, |
| Brown, | King, | Sanborn, |
| Brownell, | Kirkland, | St. Aubin, |
| Cady, | Lapham, | Sherman, |
| Chamberlin, | Littlejohn, | Shier, |
| Chapel, | Lomison, | Smith, |
| Chatfield, | Lovell, | Stout, |
| Church, | Luce, | Strang, |
| J. Divine, | McIntyre, | Sutherland, |
| R. K. Divine, | Middlesworth, | Tiffany, |

Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Gilman,
Gregory,

Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

66

NAYS.

Mr. Fitch,

Mr. Judd,

2

A bill to change the name of Elizabeth Alger,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beecher,
Brown,
Brownell,
Chamberlin,
Chapel,
Chaifield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Gilman,
Gregory,

Mr. Hall,
Hathaway,
Hixon,
Hurd,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,

Mr. Parsons,
Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Sanborn,
St. Aubin,
Sherman,
Shier,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

68

NAYS.

Mr. Fitch,
Smith,

Mr. Stout,

Mr. Strang,

4

A bill to organize the township of Forrester,

Was read a third time and passed by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beecher,

Mr. Hall,
Hathaway,
Hixon,
Hurd,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,

| | | |
|---------------|-----------------|-------------|
| Brown, | Judd, | Sanborn, |
| Brownell, | King, | St. Aubin, |
| Cady, | Kirkland, | Sherman, |
| Chamberlin, | Lapham, | Shier, |
| Chapel, | Littlejohn, | Smith, |
| Chatfield, | Lomison, | Stout, |
| Church, | Lovell, | Strang, |
| J. Divine, | Luce, | Sutherland, |
| R. K. Divine, | McIntyre, | Tiffany, |
| Dunakin, | Middleworth, | Tompkins, |
| Duncan, | Miller, | Ward, |
| DuPuy, | D. N. Montague, | Wells, |
| Eddy, | H. Montague, | Wendell, |
| Edwards, | Moorman, | White, |
| Enos, | Mussey, | Whitmore, |
| Ewell, | Noble, | Wilbur, |
| Fitch, | Parker, | Williams, |
| Gilman, | Parsons, | Speaker, |
| Gregory, | Pettit, | |

68

NAYS.

0

Mr. Church moved to amend the title by adding thereto the words, "in the county of Sanilac."

Which motion prevailed.

Mr. J. Divine moved that the bill take immediate effect.

Carried, by a two-thirds vote.

Mr. Mills moved that the bill to change the name of Elizabeth Alger, take immediate effect.

Carried, by a two-thirds vote.

Mr. Wells moved that the bill for the incorporation of Charitable Societies take immediate effect.

Which motion, by a two-thirds vote, prevailed.

A bill to change the name of Alvah H. Bull, George W. Bull, Philo Bull, Ransom Bull, John Bull, Russell Bull, Hiram Bull and Albert Bull,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|------------|-------------|
| Mr. Ashmun, | Mr. Hixon, | Mr. Pettit, |
| Beecher, | Hurd, | N. Power, |
| Brown, | Judd, | P. Power, |
| Brownell, | King, | Ralph, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Lomison, | Sherman, |
| Chapel, | Lovell, | Shier, |

| | | |
|---------------|-----------------|-------------|
| R. K. Divine, | Luce, | Sutherland, |
| Dunakin, | McIntyre, | Tiffany, |
| DuPuy, | Middlesworth, | Tompkins, |
| Eddy, | Miller, | Ward, |
| Edwards, | D. N. Montague, | Wells, |
| Gilman, | H. Montague, | White, |
| Gregory, | Moorman, | Whitmore, |
| Hall, | Mussey, | Williams, |
| Hathaway, | Parker, | Speaker, |

48

NAYS.

| | | |
|-------------|-------------|----------------|
| Mr. Atwood, | Mr. Ewell, | Mr. St. Aubin, |
| Barclay, | Fitch, | Smith, |
| Chatfield, | Littlejohn, | Stout, |
| Church, | Noble, | Strang, |
| J. Divine, | Parsons, | Wendell, |
| Duncan, | Reynolds, | Wilbur, |
| Enos, | | |

19

Mr. Sherman gave notice that he should to-morrow move to reconsider the last vote.

On motion,

The title was amended by adding thereto the words, "of the township of Bedford, in the county of Calhoun."

Mr. Wells moved that the bill take immediate effect.

Which motion was lost.

Mr. Sherman moved to reconsider the last vote.

Carried.

The bill was then, by a two thirds vote, ordered to take immediate effect.

On motion,

The House adjourned till 2 o'clock, P. M.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

The House having arrived at the special order, went into consideration of,

A bill to prohibit the manufacture and sale of intoxicating liquors as a beverage.

The bill was read in full, and afterwards submitted for amendment, by sections.

Mr. McIntyre moved to strike out in the third line of section one, the words "may be."

Carried.

Mr. White moved to amend section 2, by inserting after the words "equity, and" in the second line, the words "any money or thing paid therefor."

Which motion prevailed.

Mr. Strang moved to strike out of same section, in the third line, the words "his wife or any of his children."

Lost.

Mr. Gregory moved to amend section 3, by inserting in the first line between the words "sell" and "any," the words "or keep for sale contrary to law."

Carried.

Mr. McIntyre moved to amend section 3, by inserting in the fifth line, between the words "committed" and "until," the words "as, ~~fore-~~said."

Carried.

Mr. Parsons moved to strike out section six,

Pending which,

Mr. Lapham moved to amend said section, by inserting in the ninth line, between the words "upon" and "a," the word "by."

Mr. Lapham's motion was declared out of order; when, Mr. Parsons' motion to strike out was lost, by yeas and nays, as follows :

YEAS.

| | | |
|-------------|-------------|----------------|
| Mr. Atwood, | Mr. Fitch, | Mr. St. Aubin, |
| Barclay, | Hathaway, | Sherman, |
| Brown, | Hixon, | Smith, |
| Chamberlin, | Kirkland, | Stout, |
| Chapel, | Littlejohn, | Strang, |
| Chaffield, | Miller, | Sutherland, |
| Church, | Parsons, | Wendell, |
| J. Divine, | Reynolds, | Wilbur, |
| Ewell, | | |

25

NAYS.

| | | |
|---------------|-----------|-------------|
| Mr. Ashman, | Mr. Judd, | Mr. Pettit, |
| Beecher, | King, | N. Power, |
| Brownell, | Lapham, | P. Power, |
| Cady, | Lomison, | Ralph, |
| R. K. Divine, | Lovall, | Sanborn, |
| Dunakin, | Luce, | Shier, |

| | | |
|----------|-----------------|-----------|
| Duncan, | McIntyre, | Tiffany, |
| DuPuy, | Middlesworth, | Tompkins, |
| Eddy, | Mills, | Ward, |
| Edwards, | D. N. Montague, | Wells, |
| Enos, | H. Montague, | White, |
| Gilman, | Moorman, | Whitmore, |
| Gregory, | Mussey, | Williams, |
| Hall, | Noble | Speaker, |
| Hurd, | Parker, | |

44

Mr. Littlejohn moved to amend section 7, by inserting in seventh line, between the words "also" and "describe," the word "briefly."

Lost.

Mr. Mills moved to amend section 7, by inserting the words, "and keep," after the word "take."

Carried.

Mr. Stout moved to strike out in the 14th line of same section, "before," and insert "preceding."

Carried.

Mr. Gregory moved to amend the same section, by striking out of line 20, the words "under the next preceding section," and insert in lieu thereof, the words "contrary to the provisions."

Carried.

Also to insert in the 22d line of the same section, between the words "by" and "order," the words "the written."

Carried.

Mr. McIntyre moved to amend, by striking out in the same line, the word "by," and insert in lieu thereof "pursuant to."

Carried.

Mr. Gregory moved to amend said section 7, by adding at the end thereof, the following:

"It shall be the duty of the court so issuing said warrant to afford the person against whom or whose property the same issued, a speedy trial for any offence charged therein, or in the complaint on which the same was founded, or for keeping said liquor; and the prosecution on the return of such warrant shall forthwith make or file a declaration against such person; and it shall be the duty of the officer serving said warrant to notify the prosecutor of its return."

Carried.

Mr. Strang moved to strike out in the 5th line of section 9, the words "on the part of the people."

Carried.

Also, to strike out of the 15th line of the same section, the figures "18."

Lost.

Mr. Gregory moved to amend section 9, by striking out the word "on," in the 15th line, and insert in lieu thereof the word "between."

Carried.

Mr. Gregory moved to amend section 9, by inserting in the 15th line, after the letters and figures "A. D. 18—," the blanks and words as follows: " and the day of A. D. 18—, not including a period over thirty days."

Carried.

Also, to amend the same section, by inserting after the word "one," at the end of the 20th line, the words "or the day on which, or the person to whom such liquor was sold."

Carried.

Also, to amend same section, by inserting in the 47th line, after the word "name," the words, "or the day on which, or to whom it was sold;" also, after the word "sale," in same line, insert the words, "or keeping for sale."

Mr. McIntyre moved to strike out the words "of debt," in the first line of section 11.

Carried.

Mr. Littlejohn moved to amend same section in same line, by striking out "prosecution" and inserting "prosecutor."

Carried.

Mr. Strang moved to strike out the first proviso of section 11.

Lost.

Mr. McIntyre moved to amend section 12, in the first line, by striking out "for" and inserting "of."

Carried.

Mr. Gregory moved to amend section 13, by striking out of line 18 the words "for persons sick at the time of the sale."

Carried.

Mr. Chapel moved to strike out of section 13, line 9, the words, "Lord's Supper," and insert "fourth of July."

Lost.

Mr. Strang moved to amend the same section by striking out of line 11, the words "in the celebration of the Lord's Supper," and insert "for sacramental purposes."

Carried.

Mr. Gregory moved further to amend the same section by inserting in the 19th line, between the word "manufacturing" and the word "or" the word "purposes."

Carried.

Mr. Littlejohn moved to strike out section 13, pending which,

Mr. Strang moved to amend the same by inserting in line 55, after the word "board," "to make summary inquiry on due notice to the person charged with being in the habit of getting intoxicated, and if the fact be found as charged in the complaint."

Which motion prevailed.

The question then being taken by yeas and nays, on striking out section 13, the motion did not prevail, as follows:

YEAS.

| | | |
|-------------|-------------|--------------|
| Mr. Ashmun, | Mr. Eddy, | Mr. Parsons, |
| Barclay, | Ewell, | Reynolds, |
| Beecher, | Fitch, | St. Aubin, |
| Chamberlin, | Hathaway, | Sherman, |
| Chapel, | Hixon, | Smith, |
| Chaifield, | Kirkland, | Sutherland, |
| Church, | Littlejohn, | Wendell, |
| J. Divine, | Noble, | Wilbur, |
| Duncan, | | |

25

NAYS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Lapham, | Mr. P. Power, |
| Brown, | Lomison, | Ralph, |
| Brownell, | Lovell, | Sanborn, |
| Cady, | Luce, | Shier, |
| R. K. Divine, | McIntyre, | Stout, |
| Dunakin, | Middleworth, | Strang, |
| DuPuy, | Miller, | Tiffany, |
| Edwards, | Mills, | Tompkins, |
| Enos, | D. N. Montague, | Ward, |
| Gilman, | H. Montague, | Wells, |
| Gregory, | Moorman, | White, |
| Hall, | Musey, | Whitmore, |

Hurd,
Judd,
King

Parker,
Petit,
N. Power,

Williams,
Speaker,

44

On motion,
The House adjourned.

Lansing, Tuesday, January 23, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

PETITIONS PRESENTED.

By Mr. Williams: of C. B. Seymour and others, praying for the creation of a chair of Homeopathy in the medical department of the University, and the appointment of a Professor thereto.

Referred to the committee on Education.

By J. Divine: of James L. McGrath and 31 others, citizens of the county of Sanilac, asking for the organization of the township of Buel, in said county.

Referred to the committee on Towns and Counties.

By Mr. Duncan: of Jan Slag and 7 others, asking that township six north, of range fifteen west, be taken from the township of Ottawa, in Ottawa county, and annexed to the township of Holland, in said county.

Same reference.

By Mr. P. Power: of James Dale Johnston, of Detroit, asking the attention of the Legislature to prospectus of Detroit City Directory.

Referred to the committee on Education.

REPORTS OF STANDING COMMITTEES.

Mr. R. K. Divine, from the committee on Roads and Bridges, made the following report:

The committee on Roads and Bridges, to whom was referred the petition of Emery Russell and others, inhabitants of Ionia county, asking for the repeal of act No. 81, of the session laws of 1853, being an act entitled an act appropriating certain highway taxes for the improvement of roads in the counties of Eaton and Ionia, have had the same under consideration, and have instructed me, as their chairman, to report the accompanying bill for the repeal of said act, and that they recommend

the passage of the same, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole and placed on the general order.

Mr. Littlejohn, from the committee on State Affairs, made the following report:

The committee on State Affairs, to whom was referred the bill ceding jurisdiction to the United States over certain tracts of land for light houses, have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, recommending its passage, and asking to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Sanborn, from the committee on Public Lands, submitted a majority report of that committee, returning several bills therein named, to-wit:

A bill to provide for draining the swamp lands near the sand flats of the Muskegon River.

A bill to provide for the disposition of the swamp lands in the counties of Ontonagon, Houghton and Marquette, in the Upper Peninsula.

A bill to provide for the construction of a road from the Muskegon river to the straits of Michilimackinac.

A bill to provide for the sale and reclaiming of the swamp lands granted to this State, and for disposing of the proceeds arising from such sale; and

A bill to regulate the sale of swamp lands, and to confirm certain sales thereof, without recommendation in relation to the same, and asked to be discharged from their further consideration.

Report accepted, when

Mr. Hurd gave notice that he should submit a minority report, as soon as it could be prepared.

The majority report was laid on the table, the manuscript bills ordered printed, and all referred to the committee of the Whole, and placed on the general order.

COMMUNICATIONS FROM STATE OFFICERS.

EXECUTIVE OFFICE,
Lansing, January 22, 1855. }

To the House of Representatives:

I have approved and filed in the office of the Secretary of State, "an act to enlarge the powers of School District No. 11 in the city and township of Ann Arbor, in the county of Washtenaw;" and also "an act to amend sections 13 and 15 of an act entitled 'an act in relation to Free Schools in the city of Detroit.'

KINSLEY S. BINGHAM.

Also, the following:

OFFICE OF THE SECRETARY OF STATE, }
Lansing, January 23, 1855. }

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—I have the honor to transmit herewith the last Annual Report of the Inspectors of the State Prison.

Very respectfully,

Your ob't servant,

JOHN MCKINNEY,

Sec'y of State.

Communications and report laid on the table.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, January 22, 1855. }

To the Speaker of the House of Representatives:

SIR—I herewith transmit,

A bill to amend an act entitled "an act to incorporate the city of Detroit Gas Light Company,"

Which has passed the Senate by a vote of two-thirds of all the Senators elect, and by a like vote was ordered to take immediate effect; also,

A bill to incorporate the village of Albion; also,

A bill to amend section 17, of chapter 106 of the revised statutes,

Each of which the Senate have passed by a majority vote of all the Senators elect, and the first named ordered to take immediate effect,

and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Which message was laid on the table, and the bills read a first and second time, and referred, the two first, to the committee on Banks and Incorporations, and the last to the committee of the Whole and placed on the general order.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Wells gave notice that on some future day, he would ask leave to introduce,

A bill relative to the adjustment of erroneous assessments of taxes in the city of Detroit.

Mr. Church, pursuant to previous notice, asked leave to introduce,

A joint resolution authorizing the Board of State Auditors to audit the claim of the county of Kent against the State.

Leave was granted, and the resolution read a first and second time, and,

On motion of Mr. Church,

Laid on the table.

Mr. Church gave notice that on some subsequent day he would ask leave to introduce,

A joint resolution for the relief of Robert Howlet.

Mr. Sherman, pursuant to previous notice, asked and obtained leave to introduce,

A bill to authorize the Mining Companies of the Upper Peninsula to take stock in Plank or Rail Roads, and to regulate the tax thereon.

The bill was read a first and second time and referred to the committee on Banks and Incorporations.

Mr. Barclay gave notice that on some future day he would ask leave to introduce,

A bill for the laying out of a State road from East Saginaw, in the county of Saginaw, to the county seat of Tuscola county.

Mr. Ashmun gave notice that on some future day he would ask leave to introduce,

A bill to provide for the construction of a road from Saginaw to a point in the township of Pine River, in Gratiot county.

Mr. Wendell gave notice that on some future day he would introduce,

A joint resolution instructing the Board of State Auditors to settle and cancel the surplus interest account (which is unjust) against the county of Mackinaw.

Mr. Parker gave notice that on to morrow he will ask leave to introduce, a joint resolution for the relief of Eliza Maria Dutchen, and Joseph Dutchen, Jr., minors.

UNFINISHED BUSINESS.

The Speaker announced,

"A bill to prevent the manufacture and sale of spiritous or intoxicating liquors as a beverage," as the unfinished business of the preceding day; when,

The Chair announced that the first business of the House was the consideration of section 14 of the bill.

Mr. Beecher moved to take up the "joint resolution respecting Slavery in the Territories of the United States."

Mr. Fitch called for the yeas and nays.

The vote being taken, the motion was lost, two-thirds of the members not voting in favor, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
R. K. Divise,
DuPuy,
Eddy,
Gilman,
Gregory,
Hall,
Hurd,
Ives,
Judd,

Mr. King,
Lapham,
Lovell,
Luce,
McIntyre,
Miller,
Mills,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Pettit,
N. Power,

Mr. P. Power,
Ralph,
Sanborn,
Shier,
Smith,
Stout,
Tiffany,
Tompkins,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

48

NAYS.

Mr. Atwood,
Barclay,
Chapel,

Mr. Enos,
Ewell,
Fitch,

Mr. D. N. Montagne,
Parsons,
Reynolds,

| | | | |
|------------|---------------|-------------|----|
| Chatfield, | Hathaway, | St. Aubin, | |
| Church, | Hixon, | Sherman, | |
| J. Divine, | Kirkland, | Strang, | |
| Dunakin, | Littlejohn, | Sutherland, | |
| Duncan, | Lomison, | Weadell, | |
| Edwards, | Middlesworth, | Wilbur, | 27 |

Mr. Wells was called to the chair, as Speaker *pro tem.*, and the House resumed the consideration of,

A bill to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage.

Mr. Gregory moved to amend section 14 by striking out of the 6th line, the word "he," and also out of the 9th line the word "he," and insert in lieu thereof, the words "such persons so offending."

Carried.

Mr. McIntyre moved to amend section 15 in line 17, by striking out the word "officers," and inserting "offences." Also, in line 19, insert the word "cause," at the commencement of the line.

Which motion prevailed.

Mr. Gregory moved to amend section 15 by inserting in the third line, after the word "shop," the words "public building, street, alley, highway."

Carried.

Also, to amend same section by inserting before the word "dwelling," in the third line, the word "private."

Carried.

Mr. Ashmun moved to amend section 17 by adding after the word "misdemeanor," in the 4th line, the following words: "and whenever the Prosecuting Attorney is mentioned in this act, the District Attorney of the Upper Peninsula shall be considered as equally intended."

Carried.

Mr. Chamberlin moved to strike out section 18.

Mr. H. Montague moved to amend by adding after the word "act," in the fifth line of section 18, the following: "*And provided further,* That nothing in this act shall be construed to prohibit the manufacture of cider from apples, or wine from grapes or currants."

Mr. Brown moved as a substitute, that the 18th section be amended by inserting after the word "act," in the 5th line, the following: "*And provided, further,* That nothing contained in this act shall be.

construed to prevent the manufacture and sale of cider from apples, or wine made from grapes or currants, the actual growth and manufacture of the vendor."

Which substitute was lost, by yeas and nays, as follows:

YEAS.

| | | |
|---|---|---|
| Mr. Ashmun, Barclay, Beebe, Beecher, Brown, | Mr. Chamberlin, Chapel, Chaifield, Eddy, | Mr. Ewell, Kirkland, Miller, Sutherland, |
|---|---|---|

13

NAYS.

| | | |
|--|--|---|
| Mr. Atwood, Brownell, Cady, Church, J. Divine, R. K. Divine, Dunakin, Duncan, DuPuy, Edwards, Enos, Fitch, Gilman, Gregory, Hathaway, Hixon, Hurd, Judd, King, | Mr. Lapham, Littlejohn, Lomison, Lovell, Luce, McIntyre, Middlesworth, Mills, D. N. Montague, H. Montague, Moorman, Mussey, Noble, Parker, Parsons, Pettit, N. Power, P. Power, Ralph, | Mr. Reynolds, Sanborn, St. Aubin, Sherman, Shier, Smith, Stout, Strang, Tiffany, Tompkins, Ward, Wells, Wendell, White, Whitmore, Wilbur, Williams, Speaker, |
|--|--|---|

56

The question recurring on the motion of Mr. H. Montague, the same was lost by yeas and nays, as follows:

YEAS.

| | | |
|--|--|--|
| Mr. Ashmun, Beebe, Cady, Chapel, Church, Dunakin, DuPuy, Edwards, Ewell, Fitch, Gregory, Hall, Hathaway, | Mr. Hurd, Ives, Kirkland, Lomison, Lovell, McIntyre, Middlesworth, Miller, Moorman, Mussey, Parsons, Pettit, N. Power, | Mr. P. Power, Reynolds, Sanborn, St. Aubin, Shier, Stout, Strang, Sutherland, Tiffany, Tompkins, Ward, Wells, White, |
|--|--|--|

39.

NAYS.

| | | |
|---------------|-----------------|------------|
| Mr. Atwood, | Mr. Enos, | Mr. Noble, |
| Barclay, | Gilman, | Parker, |
| Beecher, | Hixon, | Ralph, |
| Brown, | Judd, | Sherman, |
| Brownell, | King, | Smith, |
| Chamberlin, | Lapham, | Wendell, |
| Chatfield, | Littlejohn, | Whitmore, |
| J. Divine, | Luce, | Wilbur, |
| R. K. Divine, | Mills, | Williams, |
| Duncan, | D. N. Montague, | Speaker, |
| Eddy, | H. Montague, | |

32

Mr. Gregory moved the following as an amendment to section 18, to come in at the end of the section:

"Nothing contained in this act shall be construed to prohibit the making of cider from apples, or wine from grapes or other fruits grown or gathered by the manufacturer thereof, (if made in this State and free from all other intoxicating liquors,) but in no case shall such cider be sold in a less quantity than ten gallons, or such wine be sold in less quantity than one gallon, and sold to be, and be, all taken away at one time; and all sales of such cider, in less quantity than ten gallons, or to be drank or used on the premises, shall be an unlawful sale in the meaning of this act, and be punished accordingly.

Mr. Moorman moved to amend the amendment by striking out "ten gallons" and inserting "one gallon," and striking out "one gallon" and inserting "one quart."

Lost.

The question then being on the amendment, the same prevailed by yeas and nays, as follows:

YEAS.

| | | |
|-------------|---------------|---------------|
| Mr. Ashmun, | Mr. Hathaway, | Mr. P. Power, |
| Beebe, | Hurd, | Ralph, |
| Beecher, | Kirkland, | Reynolds, |
| Cady, | Lomison, | Sanborn, |
| Chamberlin, | Lovell, | Shier, |
| Chapel, | Luce, | Stout, |
| Chatfield, | McIntyre, | Strang, |
| Church, | Middlesworth, | Sutherland, |
| Dunakin, | Miller, | Tiffany, |
| DuPuy, | Moorman, | Tompkins, |
| Enos, | Mussey, | Ward, |
| Ewell, | Parsons, | Wells, |
| Fitch, | Pettit, | White, |

Gregory,
Hall,

N. Power,

Speaker,

43

NAYS.

Mr. Atwood,
Brown,
Brownell,
J. Divine,
R. K. Divine.
Duncan,
Eddy,
Edwards,
Gilman,

Mr. Hixon,
Ives,
Judd,
King,
Lapham,
Littlejohn,
Mills,
D. N. Montague,
H. Montague,

Mr. Noble,
Parker,
St. Aubin,
Sherman,
Smith,
Wendell,
Whitmore,
Wilbur,
Williams, 23

"The question then recurring on the motion to strike out section 18, the same was lost, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Chamberlin,
Chapel,
Chatfield,
J. Divine,
Duncan,
Ewell,

Mr. Fitch,
Hixon,
Littlejohn,
Mills,
D. N. Montague,
H. Montague,
Noble,

Mr. Parsons,
St. Aubin,
Sherman,
Smith,
Wendell,
Whitmore,
Wilbur, 21

NAYS.

Mr. Atwood,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Church,
R. K. Divine,
Dunakin,
DuPuy,
Eddy,
Edwards,
Enos,
Gilman,
Gregory,
Hall,

Mr. Hathaway,
Hurd,
Ives,
King,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Moorman,
Mussey,
Parker,
Pettit,
N. Power,

Mr. P. Power,
Ralph,
Reynolds,
Sanborn,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
White,
Williams,
Speaker, 47

Mr. Chapel moved to amend section 18, line 2, by striking out "eighty," and inserting "twenty-five."

Lost.

Mr. Whitmore moved to amend same section, by striking out all after the word "State," in the third line.

Lost.

Mr. Strang moved to strike out of section 19 all between the figures "1853" in line 2, and the word "repealed" in line 4, and insert the words, "and all laws inconsistent with this act are hereby."

Carried.

Mr. Littlejohn moved to amend section 19 by striking out in line 11 the words "the same," and inserting the words "either of said acts," also the corresponding amendment in line 5.

Carried.

Amendments to the body of the bill being in order,

Mr. Strang moved to amend section 2 by adding at the end, the words, "nor shall any demand arising upon any such contract or agreement whatever, be offered or allowed as a set-off or defence in any action whatever."

Carried.

Mr. Chapel moved to amend section 18 by inserting at the end thereof, the following:

Provided, That any person who shall suffer loss of his property, or the same shall be injured by the operation of this section, he shall be entitled to compensation for such loss or injury, such compensation to be determined by the Board of State Auditors.

Lost by yeas and nays, as follows:

YEAS.

Mr. Barclay,
Chamberlin,
Chapel,
Chatfield,
Church,
Ewell,

Mr. Hathaway,
Hixon,
Kirkland,
Lovell,
Miller,

Mr. Parsons,
Reynolds,
St Aubin,
Sherman,
Wilbur,

16

NAYS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brownell,
Cady,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,

Mr. Hurd,
Ives,
Judd,
King,
Lapham,
Littlejohn,
Lomison,
Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,

Mr. N. Power,
P. Power,
Ralph,
Sanborn,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,

Edwards,
Enos,
Fitch,
Gilman,
Gregory,
Hall,

H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Pettit,

Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker, 54

Mr. Williams moved to amend section 8 in the first line, by striking out after the word "peace" the words "of the county."

Lost.

Mr. McIntyre moved to amend section 7 by inserting in the first line between the words "in" and "criminal," the words "civil or."

Carried.

Mr. McIntyre moved to amend section 13, by inserting in line 4, between the words "medicines" and "who," the words "other than intoxicating liquors."

Carried.

Mr. Littlejohn moved to amend section 2 in first line, by inserting between the words "liquors" and "sold," the word "hereafter;" also insert in line 5 after the word "thereto," the words "hereafter made;" also insert in line 10 after the word "whatever," the words "hereafter made."

Carried.

Mr. McIntyre moved to amend section 17, by inserting in 3d line between the words "do" and "the," the words "without good cause."

Carried.

Mr. Beecher moved to re-commit the bill to the special committee, with instructions to strike out sections 6 and 7.

Pending which motion,

Mr. ——— moved to adjourn.

Lost.

Mr. Parsons moved to divide the question on the motion to recommit, &c., with instructions.

Mr. Beecher withdrew his motion.

Mr. McIntyre moved to strike out the words "drugs and," where they first occur in the first line of section 13.

Carried.

Mr. Gregory moved to amend the bill, by inserting the following, to come in as a new section, after section 8.

"Whenever a complainant is required by the provisions of this act; to state facts and circumstances, for the information of any court or magistrate, to whom such complaint is made, and he shall be unable of his own knowledge, to state sufficient facts and circumstances to authorize the issuing of a warrant, such facts and circumstances may be shown to such court or magistrate, by other affidavits, sworn before any officer authorized to administer oaths, at any time previous to the issuing of such warrant; and such court or magistrate may, after the making of any such complaint, issue subpoenas directed to, and compel in the usual manner the attendance of witnesses, who may be required to testify to the best of their knowledge, concerning such facts and circumstances."

Mr. McIntyre moved the following as a substitute for the proposed new section:

"Whenever a complainant is required by the provisions of this act to state facts and circumstances for the information of any court or magistrate, to whom such complaint is made, and he shall be unable of his own knowledge to state sufficient facts and circumstances to authorize the issuing of a warrant, such court or magistrate may, after the making of any such complaint, issue subpoenas directed to, and compel in the usual manner, the attendance of witnesses, who may be required to testify to the best of their knowledge, concerning such facts and circumstances."

Which substitute prevailed.

Mr. Gregory moved to amend the bill, by inserting the following, to stand as a new section, after section 15:

"If any employee of any railroad company, or other common carrier of persons or property, shall use as a beverage any spirituous or intoxicating liquors while engaged in the service of such common carrier, such employee shall be subject to the same penalties and forfeitures as is provided for the unlawful selling of such liquors. And every such common carrier who shall keep in its, his, or their employ, any such person so offending, after any of its, his, or their agents or servants, whose duty it shall be to report, or take any other action in relation to the misconduct of such employee, shall have notice of such violation of the provisions of this act, such common carrier shall forfeit the sum of twenty dollars for every week such employment shall be continued after notice of such offence. And it shall be the duty of any Superintend-

ent or other officer of any railroad company, and the agent or servant of all other common carriers before mentioned, to post up or serve a copy of this section, with any written or printed rules and regulations which may be posted or served by them in the performance of their duties."

Which substitute, after some discussion upon a constitutional question, was withdrawn by the mover.

Mr. Gregory moved that the bill be amended by inserting the following, to come in after section 18 :

The provisions of this act shall not be construed to apply to such liquors as are of foreign production, and which have been imported under the laws of the United States and in accordance therewith, and are contained in the original packages in which they were imported, and in quantities not less than the laws of the United States prescribed. To entitle any liquors to the exemption contained in this section, it must be made to appear by positive proof that they are of the character in this section described ; nor shall custom-house certificates of importation, and proof of marks on the casks or packages corresponding therewith, be received as evidence that the liquors contained in such packages are those actually imported therein.

Which amendment was carried, by yeas and nays, as follows :

YEAS.

| | | |
|--------------|---------------|---------------|
| Mr. Barclay, | Mr. Hurd, | Mr. N. Power, |
| Beecher, | Ives, | P. Power, |
| Brownell, | Judd, | Ralph, |
| Cady, | King, | Sanborn, |
| Chatfield, | Kirkland, | Smith, |
| R. Divine, | Lovell, | Stout, |
| Dunakin, | Luce, | Sutherland, |
| Duncan, | McIntyre, | Tiffany, |
| DuPuy, | Middlesworth. | Tompkins, |
| Eddy, | Mills, | Ward, |
| Edwards, | H. Montague, | Wells, |
| Ewell, | Moorman, | Wendell, |
| Fitch, | Mussey, | White, |
| Gilman, | Noble, | Whitmore, |
| Gregory, | Parker, | Williams, |
| Hall, | Pettit, | Speaker. |

48

NAYS.

| | | |
|-------------|-----------|--------------|
| Mr. Atwood, | Mr. Enos, | Mr. Parsons, |
| Ashmun, | Hathaway, | Reynolds, |
| Beebe, | Hixon, | St. Aubin, |
| Brown, | Lapham, | Sherman, |

Chamberlin,
Chapel,
Church,
J. Divine,

Littlejohn,
Lomison,
Miller,
D. N. Montagne,

Shier,
Strang,
Wilbur,

28

Mr. Stout moved to strike out of section 14, line 6, the words "the person so offending."

Which motion the Chair decided out of order.

Mr. Judd moved to amend section 18, all after the the words "of this act" in line five, and insert the following : *Provided*, That nothing in this act shall be construed to prevent the manufacture of cider from apples, wine from currants and grapes, grown by such manufacturer, and the selling the same according to the provisions of this section.

Which motion was ruled out of order.

Mr. Mussey moved to reconsider the vote by which the 6th and 9th lines of section 14 was amended.

Carried by a two-thirds vote.

The question recurring on the motion to strike out the word "he," in the sixth line, and insert the words "such person so offending," and to strike out "he" in the ninth line,

Mr. Judd called for a division of the question.

The question then being on striking out "he" in the 6th line,

The same did not prevail.

The other division of the question, to strike out "he," in the 9th line, being put, was carried.

Mr. McIntyre moved that the bill be ordered engrossed for a third reading,

Pending which,

Mr. Beecher moved to re-commit the bill to the special committee, with instructions to strike out sections 6 and 7 thereof.

Mr. Parsons moved to amend the motion to re-commit by instructing the select committee to report the following as a substitute for the bill:

A BILL to prohibit the sale or gift of Spirituous Liquors in certain cases.

Sec. 1. *The people of the State of Michigan enact* : That no person, after the first day of June, 1855, shall be allowed to sell, give away, or otherwise dispose of, directly or indirectly, any spirituous liquors, mixed or unmixed, as a beverage, in a less quantity than

gallons, and that all to be carried away from the premises where sold or given, at the same time, and none of which shall be drank or used in or about said premises.

Sec. 2. No person, after the first day of June aforesaid, shall be permitted to sell, or give, or otherwise dispose of, directly or indirectly, any spirituous liquors, mixed or unmixed, as a beverage, to any person of known intemperate habits.

Sec. 3. Any person who shall be guilty of a wilful violation of the foregoing provisions, upon conviction thereof, shall be punished by fine not less than five nor more than fifty dollars, and by imprisonment in the county jail not less than five nor more than thirty days. But no prosecution shall be commenced for such violation unless within ninety days after the commission of the offence.

Sec. 4. Any person desiring to institute a prosecution for a violation of the provisions of this act, may make a complaint in writing and on oath before any justice of the peace of the county in which the offence shall be alleged to have been committed, which shall be filed with the justice, and shall set forth substantially the offence charged, the time when and place where with reasonable certainty the same was committed. If such person shall then give security to the satisfaction of the justice before whom the complaint shall be made to pay all the costs of the prosecution in case it shall not be sustained, (which person giving or becoming such security shall sign a memorandum to that effect, to be filed and preserved by the justice,) then the justice shall issue a warrant directed to any constable of the county, reciting therein the substance of the complaint, and commanding him forthwith to arrest the accused and bring him before such justice, or some other justice of the same county, to be dealt with according to law, and the same warrant may require the officer to summon such witnesses as shall be named therein to appear and give evidence at the trial. The trial shall be conducted and determined, and witnesses may be subpoenaed, in all respects as for other offences cognizable by justices of the peace under existing laws; and any person convicted under this act may appeal from the judgment of any justice of the peace to the Circuit Court, in the manner provided by law for the trial and determination of such other offences.

Sec. 5. Any married woman may institute and maintain in her own name a suit for all damages sustained by herself or children occasioned by the sale or gift, as a beverage, of spirituous liquors as aforesaid against any person so selling or giving the same, and any person may institute and maintain any such suit in his name for the use and benefit of such married woman or children, or any one of them, if minors; and in any action instituted under this section where the husband of such married woman, or father of such minor children has been intoxicated by the liquor so sold, disposed of or given away, any destruction or injury of property, though it be the property of the person who has been so intoxicated, and any loss of time though of the person so intoxicated, as well as any injury to the property or person of such wife or any of the minor children of such intoxicated person, shall be allowed as damages in such cases.

Sec. 6. Any person injured by or in consequence of the intoxication of any person, occasioned by the sale or disposal of any liquor contrary to the provisions of this act, may institute and maintain a suit against the person or persons guilty of such violation, for any damage he may sustain for injury, loss or detriment occasioned thereby, and any suit under this or the next preceding section may be instituted before any court having competent jurisdiction, and shall be commenced, conducted and determined, in all respects, as in other civil cases under existing laws.

Sec. 7. The act entitled "an act prohibiting the manufacture of intoxicating beverages and the traffic therein," approved February 12, 1853, and all acts and parts of acts contravening the provisions of this act are hereby repealed.

The question being taken on Mr. Parsons' amendment, the same was lost by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Barclay,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,

Mr. Ewell,
Fitch,
Hathaway,
Hixon,
Kirkland,
Littlejohn,
Parsons,

Mr. Reynolds,
St. Aubin,
Sherman,
Strang,
Sutherland,
Wendell,

NAYS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Ives, | Mr. Pettit, |
| Beebe, | Judd, | N. Power, |
| Beecher, | King, | P. Power, |
| Brown, | Lapham, | Ralph, |
| Brownell, | Lomison, | Sanborn, |
| Cady, | Lovell, | Shier, |
| R. K. Divine, | Luce, | Smith, |
| Dunakin, | McIntyre, | Stout, |
| Duncan, | Middlesworth, | Tiffany, |
| DuPuy, | Miller, | Tompkins, |
| Eddy, | Mills, | Ward, |
| Edwards, | D. N. Montague, | Wells, |
| Enos, | H. Montague, | White, |
| Gilman, | Moorman, | Whitmore, |
| Gregory, | Mussey, | Williams, |
| Hall, | Noble, | Speaker, |
| Hurd, | Parker, | |

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Mr. Littlejohn moved to amend the motion to re-commit, by instructing the select committee to report the following as a substitute for the bill:

A BILL to prohibit the sale of, and traffic in, intoxicating Liquors as a beverage.

Section 1. *The People of the State of Michigan enact*, That any person who shall, after the first day of June one thousand eight hundred and fifty-five, sell, give away, or otherwise dispose of, any Alcohol, or distilled spirituous liquors, or other intoxicating liquor, mixed or unmixed, for profit, or gain of any kind, to be used as a beverage: or who shall permit any Alcohol, or distilled spirituous liquor, or other intoxicating liquor, mixed or unmixed, to be drank, or otherwise used, by any person, as a beverage, in or about any premises in his possession, or under his control, for profit, or gain of any kind, shall be deemed guilty of a misdemeanor, and on conviction thereof, in the Circuit Court for the proper county, shall be punished by actual imprisonment in the county jail, for a period of not less than one hundred days: *Provided*, that this section shall not apply to any person, who may have, in good faith, sold Alcohol, or other pure distilled spirituous liquor, which was sold to, and actually carried away by, a regular druggist or apothecary, in a quantity of not less than eight gallons, and who, at the time of such sale, represented that he wanted the same for mechanical, manufacturing.

and medicinal purposes, and not to use, sell, or otherwise dispose of to others to be used, as a beverage. Nor shall said section apply to any person, who may have sold Alcohol, or other pure distilled spirituous liquor, which was sold to, and actually taken away by, an operative mechanic or manufacturer, who at the time of sale represented that the same was necessary in his business, and that he wanted it exclusively for that purpose, and not to use, sell or otherwise dispose of to others to be used as a beverage. Nor shall said section apply to any person, who may have, in good faith, sold Alcohol, or other pure distilled spirituous liquor, which was sold to, and actually carried away by, a practicing physician, or surgeon, and who at the time of such sale represented, that he wanted the same for Medicinal purposes in his professional business, and not to use, sell, or otherwise dispose of to others to be used, as a beverage. Nor shall said section apply to any person, who may have, in good faith, sold Alcohol, or other pure distilled spirituous liquor, which was sold to, and actually carried away by, a person representing that he wanted the same for sickness, not to use, sell, or otherwise dispose of to others, to be used, as a beverage, accompanied by the statement of some practicing physician or surgeon, known to the seller, that the same, in his opinion, was necessary for that purpose, nor to the sale or purchase by any person of any quantity of wine to be use solely for sacramental purposes.

Sec. 2. Any mechanic, manufacturer, druggist, apothecary, physician, surgeon, or other person, who shall be guilty of making any false or fraudulent representations, or who shall be guilty of using any other deceptive means of any kind, whatsoever, for the purpose of purchasing or otherwise obtaining any alcohol, or other distilled spirituous liquor, or to enable any other person to purchase or obtain the same, shall be deemed guilty of a misdemeanor, and on conviction thereof, in the Circuit Court for the proper county, shall be punished by actual imprisonment in the county jail, for a period of not less than one hundred days.

Sec. 3. Any married woman, or other person, injured in any way, directly or indirectly, by the sale or other disposition of any alcohol, or distilled spirituous liquor, in violation of any of the provisions contained in this act, may have an action on the case, in their own indi-

vidual name, and for their own exclusive use and benefit for the injury, against the person selling or otherwise disposing of the same; and shall be entitled to recover full damages for all injury sustained together with all costs, fees and disbursements necessarily incurred in the prosecution of such action. And it shall be sufficient for the plaintiff to aver in the declaration, that the defendant at some place, (*to be named,*) in the county in which the action is brought, and at a certain day, (*to be named,*) sold, gave away, or otherwise disposed of alcohol, or other distilled spirituous liquor, to some person, (*naming him,*) contrary to the statute in such case made and provided, and that in consequence thereof, the plaintiff has been injured and sustained damage to a certain amount, (*naming the amount*). To such declaration it shall be sufficient for the defendant to plead thereto not guilty, and on the trial, the plaintiff shall be at liberty to prove a sale, or other disposition, of alcohol, or distilled spirituous liquor, by the defendant, at any time within one year next preceding the commencement of the suit.

SEC. 4. All acts, or parts of acts, heretofore passed, which contravene, or which in any way conflicts with any of the provisions of this act, are hereby repealed.

The amendment of Mr. Littlejohn to the motion to recommit was lost by the following vote:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,

Mr. Ewell,
Fitch,
Hathaway,
Hixon,
Kirkland,
Littlejohn,
Parsons,

Mr. Reynolds,
St. Aubin,
Sherman,
Strang,
Sutherland,
Wendell,
Wilbur,

22

NAYS.

Mr. Beebe,
Beecher,
Brown,
Brownell,
Cady,
R. K. Divine,
Duncan,
DuPuy,
Rddy

Mr. King,
Lapham,
Lomison,
Lovell,
Luca,
McIntyre,
Middlesworth,
Miller,
Mills,

Mr. N. Power,
P. Power,
Ralph,
Sanborn,
Shier,
Smith,
Stout,
Tiffany,
Tompkins,

| | | |
|----------|-----------------|-----------|
| Edwards, | D. N. Montague, | Ward, |
| Enos, | H. Montague, | Wells, |
| Gilman, | Moorman, | White, |
| Gregory, | Mussey, | Whitmore, |
| Hall, | Noble, | Williams, |
| Hurd, | Parker, | Speaker. |
| Judd, | Pettit, | |

47

The question recurring, on the motion to recommit, with instructions to strike out sections 6 and 7,

A division of the question was called for, and the proposition to recommit was lost, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-------------|--------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Sanborn, |
| Ashmun, | Fitch, | St. Aubin, |
| Barclay, | Hathaway, | Smith, |
| Beebe, | Hixon, | Strang, |
| Beecher, | Littlejohn, | Sutherland, |
| Chamberlin, | Miller, | Wells, |
| Chapel, | Parsons, | Wilbur, |
| Chatfield, | Reynolds, | Speaker, |

24

NAYS.

| | | |
|---------------|-----------------|-------------|
| Mr. Brown, | Mr. Judd, | Mr. Parker, |
| Brownell, | King, | Pettit, |
| Cady, | Kirkland, | N. Power, |
| Church, | Lapham, | P. Power, |
| J. Divine, | Lomison, | Ralph, |
| R. K. Divine, | Lovell, | Sherman, |
| Duncan, | Luce, | Shier, |
| DuPuy, | McIntyre, | Stout, |
| Eddy, | Middlesworth, | Tiffany, |
| Edwards, | Mills, | Tompkins, |
| Enos, | D. N. Montague, | Ward, |
| Gilman, | H. Montague, | Wendell, |
| Gregory, | Moorman, | White, |
| Hall, | Mussey, | Whitmore, |
| Hurd, | Noble, | Williams, |
| Ives, | | |

46

Mr. Beecher moved that the bill be ordered to be engrossed for a third reading,

Pending which,

Mr. Chapel moved to amend the bill by adding the following, to stand as a new section, at the end of the bill:

Sec. 20. *Whereas*, by the provisions of the constitution of this State, "the property of no person shall be taken without just compensation

therefor," and *whereas*, under the provisions of this act, the property of many persons in this State, invested in buildings and machinery for manufacturing purposes, will be taken or rendered useless and without value, for the benefit of the public, *It is therefore further enacted*, That in every such case, the value of such property thus taken, destroyed or damaged, shall be ascertained by three commissioners appointed by the circuit court for the proper county, and when thus ascertained and certified, under the seal of said court, the value of such property, or the injury sustained by such person, shall be paid out of any moneys in the State Treasury.

Which motion was lost.

The bill was then ordered to be engrossed for a third reading.

A motion to adjourn was lost.

SPECIAL ORDER OF THE DAY.

The House then took up the joint resolution respecting slavery in the Territories of the United States,

Which was read a third time, and having been submitted for amendment in sub-divisions,

Mr. Church moved the following as a substitute for the third division:

Resolved, That we hold it to be within the constitutional power of Congress to abolish slavery in all the Territories of the United States, and to abolish the slave trade between said Territories, and in the District of Columbia, and that it is the duty of Congress to pass laws for the immediate suppression of such slave trade.

Which substitute was lost, by yeas and nays, as follows:

YEAS.

| | | | |
|--------------|----------------|--------------|----|
| Mr. Barclay, | Mr. J. Divine, | Mr. Lomison, | |
| Chamberlin, | Ewell, | Reynolds, | |
| Chatfield, | Hathaway, | Strang, | |
| Church, | Kirkland, | Wilbur, | 12 |

NAYS.

| | | |
|---------------|-------------|---------------|
| Mr. Atwood, | Mr. Hurd, | Mr. N. Power, |
| Ashmun, | Ives, | P. Power, |
| Beebe, | Judd, | Ralph, |
| Beecher, | King, | Sanborn, |
| Brown, | Lapham, | St. Aubin, |
| Brownell, | Littlejohn, | Sherman, |
| Cady, | Lovell, | Shier, |
| Chapel, | Luce, | Smith, |
| R. K. Divine, | McIntyre, | Sutherland, |

| | | |
|----------|-----------------|-----------|
| Dunakin, | Middlesworth, | Stout. |
| Duncan, | Miller, | Tiffany, |
| DuPuy, | Mills, | Tompkins, |
| Eddy, | D. N. Montague, | Ward, |
| Edwards, | H. Montague, | Wells, |
| Enos, | Moorman, | Wendell, |
| Fitch, | Mussey, | White, |
| Gilman, | Noble, | Whitmore, |
| Gregory, | Parker, | Williams, |
| Hall, | Pettit, | Speaker, |
| Hixon, | | |

58.

Mr. Hixon moved that the House adjourn till 7 o'clock this evening.

Lost.

Mr. Sherman moved to adjourn till half past 7.

Lost.

The fourth division of the resolution was read, when

Mr. Sherman moved that the House adjourn till to-morrow morning at 9 o'clock.

Lost.

The fifth division being read,

Mr. Littlejohn offered the following as an amendment thereto:

Resolved, That the act of Congress of 1850, known as the fugitive slave law, in the opinion of the people of this State contains provisions of doubtful constitutionality; that the mode of procedure thereunder is in some respects repugnant to the moral sense of the people of the free States, arbitrary and unjust towards the person claimed as a fugitive, and that we are in favor of its immediate modification, so as to provide that the fugitive from whom labor or service is claimed to be due, may be lawfully reclaimed only through the organism of the federal courts, in the mode clearly indicated by the Jefferson proviso in the ordinance of 1787, and without the power to compel the assistance of our citizens in making such recapture, otherwise than to repel unlawful resistance to the officer properly executing the process of said courts.

Mr. Church offered the following as a substitute to the amendment:

Resolved, That the act of Congress of 1850, known as the fugitive slave law, contains provisions of doubtful constitutionality; that its proceedings are repugnant to the moral sense of the people of the free States, and that we recommend its immediate amendment in these respects, to wit: That the certificate in said act described shall not be

conclusive evidence of servitude, and that a trial by jury, of all the questions of fact arising under the proceedings had under the said law shall be provided for.

Which substitute was lost.

The question recurring on the amendment offered by Mr. Littlejohn, it was lost, by yeas and nays, as follows:

YEAS

| | | |
|-------------|-------------|--------------|
| Mr. Atwood, | Mr. Duncan, | Mr. Parsons, |
| Ashmun, | Ewell, | Reynolds, |
| Barclay. | Fitch, | St. Aubin, |
| Chamberlin, | Hathaway, | Sherman, |
| Chapel, | Hixon, | Strang, |
| Chatfield, | Kirkland, | Sutherland, |
| Church, | Littlejohn, | Wendell, |
| J. Divine, | Lomison, | Wilbur, |

24

NAYS.

| | | |
|---------------|-----------------|---------------|
| Mr. Beebe, | Mr. Judd, | Mr. N. Power, |
| Beecher, | King, | P. Power, |
| Brown, | Lapham, | Ralph. |
| Brownell, | Lovell, | Sanborn, |
| Cady, | Luce, | Shier, |
| R. K. Divine, | McIntyre, | Smith, |
| Dunakin, | Middlesworth, | Stout, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | Mills, | Tompkins, |
| Edwards, | D. N. Montague, | Ward, |
| Enos, | H. Montague, | Wells, |
| Gilman, | Moorman, | White, |
| Gregory, | Mussey, | Whitacre, |
| Hall, | Noble, | Williams, |
| Hurd, | Parker, | Speaker, |
| Ives, | Petit, | |

47

Mr. Strang moved to insert in line 4, after the word "fugitive," the words "and dangerous to the liberties of the citizens of the free States."

And after supporting the motion for some time,

Mr. Mills moved an adjournment.

Lost.

A call of the House was ordered.

Messrs. Middlesworth, Mussey, White, and Wilbur were absent.

On motion of Mr. Littlejohn,

The Sergeant-at-Arms was despatched for the absentees.

On motion of Mr. Church,

The door of the Hall was ordered to be closed and kept so.

The Chair decided that inasmuch as there was a quorum present, the business of the House could proceed.

Mr. Chamberlin appealed from the decision of the Chair.

The question, "shall the decision of the Chair stand as the judgment of the House?" was put, and the decision sustained, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|--------------|---------------|
| Mr. Ashmun, | Mr. Hurd, | Mr. N. Power, |
| Beebe, | Ives, | P. Power, |
| Beecher, | Judd, | Ralph, |
| Brown, | King, | Sanborn, |
| Brownell, | Lapham, | Shier, |
| Cady, | Lovell, | Smith, |
| R. K. Divine, | Luce, | Stout, |
| Dunakin, | McIntyre, | Sutherland, |
| DuPuy, | Mills, | Tompkins, |
| Eddy, | H. Montague, | Ward, |
| Edwards, | Moorman, | Whitmore, |
| Gilman, | Noble, | Williams, |
| Gregory, | Parker, | Speaker, |
| Hall, | Pettit, | |

41

NAYS.

| | | |
|-------------|---------------|---------------------|
| Mr. Atwood, | Mr. Ewell, | Mr. D. N. Montague, |
| Barclay, | Fitch, | Parsons, |
| Chamberlin, | Hathaway, | Reynolds, |
| Chapel, | Hixon, | St. Aubin, |
| Chatfield, | Kirkland, | Sherman, |
| Church, | Littlejohn, | Strang, |
| J. Divine, | Lomison, | Tiffany, |
| Duncan, | Middlesworth, | Wendell, |
| Enos, | Miller, | Wilbur, |

27

Mr. Wilbur returned to his seat and was excused; when,

On motion of Mr. Littlejohn,

All further proceedings under the call were dispensed with.

Mr. Hixon moved an adjournment.

Lost.

Mr. Shier moved to adjourn one hour.

Lost.

Mr. Littlejohn moved that the House adjourn one hour and fifteen minutes.

Lost, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Barclay,
Beebe,
Cady,
Chamberlin,
Chatfield,
Church,
J. Divine,
Dunakin,

Mr. Edwards,
Ewell,
Fitch,
Hurd,
Ives,
Kirkland,
Littlejohn,
Lomison,
Lovell,

Mr. Parsons,
Reynolds,
Shier,
Strang,
Sutherland,
Tiffany,
Wilbur,
Williams,

26

NAYS.

Mr. Ashmun,
Beecher,
Brown,
Brownell,
Chapel,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Enos,
Gilman,
Gregory,
Hall,
Hathaway,
Hixon,

Mr. Judd,
King,
Lapham,
Luce,
McIntyre,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Pettit,
N. Power,

Mr. P. Power,
Ralph,
Sanborn,
St. Aubin,
Sherman,
Smith,
Stout,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Speaker,

44

Mr. Sherman moved that the House adjourn till half past eight to-morrow morning.

Lost by yeas and nays as follows:

YEAS.

Mr. Atwood,
Barclay,
Beebe,
Chamberlin,
Chapel,
Chatfield,
Duncan,
Edwards,

Mr. Ewell,
Fitch,
Hathaway,
Hixon,
Ives,
Kirkland,
Lomison,
Lovell,

Mr. Parsons,
Reynolds,
Sherman,
Strang,
Sutherland,
Tiffany,
Wilbur,
Williams,

24

NAYS.

Mr. Ashmun,
Beecher,
Brown,
Brownell,
Cady,
Church,
R. K. Divine,

Mr. Judd,
King,
Lapham,
Littlejohn,
Luce,
McIntyre,
Miller,

Mr. N. Power,
P. Power,
Ralph,
Sanborn,
St. Aubin,
Shier,
Smith,

| | | |
|----------|-----------------|-------------|
| Dunakin, | Mills, | Stout, |
| DuPuy, | D. N. Montague, | Tompkins, |
| Eddy, | H. Montague, | Ward, |
| Enos, | Moorman, | Wells, |
| Gilman, | Mussey, | Wendell, |
| Gregory, | Noble, | White, |
| Hall, | Parker, | Whitmore, |
| Hurd, | Pettit, | Speaker, 45 |

Mr. Littlejohn moved that the last vote be re-considered, and asked for the yeas and nays thereon.

Which motion was lost, as follows :

YEAS.

| | | |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Reynolds, |
| Barclay, | Fitch, | St. Aubin, |
| Cady, | Hathaway, | Sherman, |
| Chamberlin, | Hixon, | Strang, |
| Chapel, | Ives, | Sutherland, |
| Chatfield, | Littlejohn, | Wilbur, |
| Duncan, | Lomison, | Williams, |
| Edwards, | | 22 |

NAY :

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Judd, | Mr. Pettit, |
| Beebe, | King, | N. Power, |
| Beecher, | Kirkland, | P. Power, |
| Brown, | Lapham, | Ralph, |
| Brownell, | Lovell, | Sanborn, |
| Church, | Luce, | Shier, |
| J. Divine, | McIntyre, | Smith, |
| R. K. Divine, | Miller, | Stout, |
| Dunakin, | Mills, | Tiffany, |
| DuPuy, | D. N. Montague, | Tompkins, |
| Eddy, | H. Montague, | Ward, |
| Enos, | Moorman, | Wells, |
| Gilman, | Mussey, | Wendell, |
| Gregory, | Noble, | White, |
| Hall, | Parker, | Whitmore, |
| Hurd, | Parsons, | Speaker, 48 |

Mr. Fitch moved that the House now adjourn.

Which motion was lost.

Mr. Beecher moved the previous question.

Decided out of order, on the ground that Mr. Strang had the floor.

Mr. Strang resumed and concluded.

Mr. Beecher moved the previous question.

Mr. Parsons moved to adjourn.

Lost.

Mr. Fitch moved to amend by suspending all the rules, so the majority can have full sway.

Motion decided out of order.

Mr. Church called for a division of the question.

The question being to suspend the rule requiring engrossment, was then put, and the motion to suspend lost, two-thirds not voting for the same, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
R. K. Divine,
Dunakin,
DuPuy,
Eddy,
Edwards,
Enos,
Gilman,
Hurd,
Ives,

Mr. Judd,
King,
Lapham,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Sanborn,
Shier,
Smith,
Stout,
Tompkins,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

44

NAYS.

Mr. Atwood,
Barclay,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
Duncan,
Ewell,

Mr. Fitch,
Gregory,
Hall,
Hathaway,
Hixon,
Kirkland,
Littlejohn,
Lomison,
Lovell,

Mr. Parsons,
Reynolds,
St. Aubin,
Sherman,
Strang,
Sutherland,
Wendell,
Wilbur,

26

On motion,

The House adjourned.

Lansing, Wednesday, January 24, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Pilcher.

Roll called; a quorum present.

PETITIONS PRESENTED.

By Mr. Pettit: of Henry Lana, and fifteen others, all Supervisors of the county of Clinton, to legalize certain proceedings in relation to a certain township.

Referred to the committee on Towns and Counties.

By Mr. Parker: of John Franklin and 20 others, praying the Legislature to set off and organize township 10 north, of range 2 west, in the county of Gratiot, State of Michigan, to be called North Star.

Referred to the committee on Towns and Counties.

By Mr. Beecher: of Wm. M. Sheldon and 112 others, inhabitants of the city of Adrian, praying for amendments to city charter.

Also, of L. G. Berry and 111 others;

Also, of D. K. Underwood and 117 others, for the same.

Which were severally referred to the committee on Banks and Incorporations.

By Mr. Wells: of O. M. Hyde and 120 others, asking that the Legislature propose such amendments to the Constitution as will remove certain disabilities of colored citizens.

Referred to the committee on the Judiciary.

By Mr. P. Power: of John D. Richards and 70 others, inhabitants of the city of Detroit, praying for the elective franchise.

Referred to the committee on the Judiciary.

By Mr. Brownell: of George W. Artis and 180 others, praying for the elective franchise in School District meetings.

Referred to the committee on the Judiciary.

By Mr. Sanborn: of Lincoln Small and 35 others, praying the Legislature to set off from the township of Brockway, in the county of St. Clair, town 8 north, of range 15 east, and organize the same into a separate township by the name of Branch.

Referred to the committee on Towns and Counties.

By Mr. Littlejohn: memorial of George Bliss, in behalf of the Erie and Kalamazoo Railroad Company.

Referred to the committee on State Affairs.

Mr. Parsons moved to adjourn.

Lost.

Mr. Fitch moved to amend by suspending all the rules, so the majority can have full sway.

Motion decided out of order.

Mr. Church called for a division of the question.

The question being to suspend the rule requiring engrossment, was then put, and the motion to suspend lost, two-thirds not voting for the same, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Aahmun, | Mr. Judd, | Mr. N. Power, |
| Beebe, | King, | P. Power, |
| Beecher, | Lapham, | Ralph, |
| Brown, | Luce, | Sanborn, |
| Brownell, | McIntyre, | Shier, |
| Cady, | Middlesworth, | Smith, |
| R. K. Divine, | Miller, | Stout, |
| Dunakin, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Ward, |
| Eddy, | H. Montague, | Wells, |
| Edwards, | Moorman, | White, |
| Enos, | Mussey, | Whitmore, |
| Gilman, | Noble, | Williams, |
| Hurd, | Parker, | Speaker, |
| Ives, | Pettit, | |

44

NAYS.

| | | |
|-------------|-------------|--------------|
| Mr. Atwood, | Mr. Fitch, | Mr. Parsons, |
| Barclay, | Gregory, | Reynolds, |
| Chamberlin, | Hall, | St. Aubin, |
| Chapel, | Hathaway, | Sherman, |
| Chatfield, | Hixon, | Strang, |
| Church, | Kirkland, | Sutherland, |
| J. Divine, | Littlejohn, | Wendell, |
| Duncan, | Lomison, | Wilbur, |
| Ewell, | Lovell, | |

26

On motion,

The House adjourned.

Lansing, Wednesday, January 24, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Pilcher.

Roll called; a quorum present.

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Also, of L. G. Berry and 111 others;

Also, of D. K. Underwood and 117 others, for the same.

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By Mr. Sanborn: of Lincoln Small and 35 others, praying the Legislature to set off from the township of Brookway, in the county of St. Clair, town 8 north, of range 15 east, and organize the same into a separate township by the name of Branch.

Referred to the committee on Towns and Counties.

By Mr. Littlejohn: memorial of George Bliss, in behalf of the Erie and Kalamazoo Railroad Company.

Referred to the committee on State Affairs.

By Mr. Chatfield: petition of John Kirkendall and 97 others, citizens of the county of Eaton, asking for the passage of a law granting pre-emption rights to swamp lands in certain cases, and also a law to bring said lands into market.

Referred to the committee of the Whole.

By Mr. Moorman: petition of Samuel A. Palmer and 81 others; also of E. Wood Davis, and 83 others, praying for a registry law.

Referred to the committee on Elections.

By Mr. Wells: of the Recorder and other officers of the city of Detroit, asking for the passage of an act giving to the Common Council of said city the right to examine and correct certain unjust assessments.

Referred to the committee on the Judiciary.

By Mr. McIntyre: memorial of the Professors of the University of Michigan, in relation to the condition and wants of the Institution under their charge.

Ordered printed, and referred to the committee on Education.

By Mr. Dunakin: of George H. French and 59 others, to annex the two southern tier of sections of the township of Albion, to the township of Homer.

Referred to the committee on Town and Counties.

REPORTS OF STANDING COMMITTEES.

The Judiciary committee submitted the following:

The committee on the Judiciary to whom was referred the bill to amend the 8th sub-division of section 27 of chapter 106 of the revised statutes of 1846, have had the same under consideration, and have instructed me to report, that if it be the pleasure of the House to raise the amount of exemption of such personal property as is described in said sub-division, from two hundred and fifty to five hundred dollars, it should be done in a new law now enacted, and hereafter to operate in the matter of contracts. Therefore, they have instructed me to report a new exemption act, similar to the one now embodied in the revised statutes in all other respects, except that of the increased amount of that personal property covered by the aforesaid subdivision; of which, as a substitute for the bill referred to them, they recommend the adoption and the passage thereof, and ask to be discharged from the further consideration of the subject.

A. R. TIFFANY,

Chairman.

Report accepted, committee discharged, and the substitute ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on the Judiciary, who were instructed to consider the propriety of reporting a bill to authorize the board of supervisors to extend the time of collecting and returning taxes in the several townships and to attain the object of relieving the Legislature from applications for such purposes, have instructed me to report that they find the supervisors of the several counties already empowered to act in the premises, but limited in the time to which they are authorized to grant the indulgence under consideration.

The 12th subdivision of section 11 of the act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative, and legislative powers, gives power to the said boards "to extend and determine by resolution, the time when each collector or township treasurer in their county shall make his return to the county treasurer, but such time shall in no case exceed one month from the time fixed by the general law;" and this committee are of opinion that by extending the time of the limit within which said boards may permit the aforesaid extension of collectors' warrants, they will attain the objects proposed in the resolution of instruction which they have received, and have therefore directed me to report a bill to amend section 11 of the aforesaid supervisor act, which is herewith submitted, and the passage of which is respectfully recommended, and the committee ask to be discharged from the further consideration of the subject.

A. R. TIFFANY,

Chairman.

Report accepted, committee discharged, bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 23, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to transmit to the House of Representatives, Senate bill No. 15, being

A bill to provide for the incorporation of colleges and other institutions of learning; also,

Joint resolution relative to the St. Marie's river, and the flats in Lake St. Clair,

Each of which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Which message was laid on the table, and Senate bill No. 15, and joint resolution No. 6, were read a first and second time, the bill referred to the committee on Education, and the joint resolution to the committee on Internal Improvements.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fitch offered the following:

Resolved, That the select committee on so much of the State Treasurer's report as refers to the over-issue of the Government Stock Bank of Ann Arbor, be directed to report to the House at their earliest convenience.

Adopted.

Mr. Church, pursuant to previous notice, asked leave to introduce,

A joint resolution for the relief of Robert Howlett.

Leave was granted, and the resolution read a first and second time, and referred to the committee on Public Lands.

Mr. Gilman gave notice that on some future day, he would ask leave to introduce,

A bill to amend section five of chapter twenty-three, title six of the revised statutes of 1846.

On motion of Mr. Moorman, it was

Resolved, That the Commissioner of the Land Office be, and he is hereby requested to report to this House, with all convenient speed, a

description of the swamp lands in the several counties, granted to this State by Congress, designating the time of sale, of the portion sold at private or public sale, the price of the same, and the names and residences of the purchasers, together with such other information and such other recommendations as he may deem best calculated to advance the interest of the State in further disposition of the lands remaining unsold.

Mr. Whitmore, agreeable to previous notice, asked leave to introduce,

A joint resolution relative to the claim of John Van Fossen against the State of Michigan.

Leave was granted, and the resolution read a first and second time, and referred to a select committee of three, to be appointed by the Speaker.

Mr. H. Montague gave notice that on some future day he would ask leave to introduce,

A bill to increase the fees of justices of the peace.

Mr. Parker asked leave, pursuant to notice given yesterday, to introduce,

A joint resolution authorizing Eliza Mariah, and Joseph Dutcher jr., minors, to re-locate land.

Leave was granted, and the joint resolution read a first and second time, and referred to the committee on Public Lands.

Mr. N. Power gave notice that he would on to-morrow offer a resolution authorizing the Board of State Auditors to inquire into the claims of George Mathewa.

Mr. Beecher gave notice that on some future day he would ask leave to introduce,

A bill to amend the charter of the city of Adrian.

Mr. Atwood moved to take from the table the report of the committee on Public Lands relative to Swamp Lands, and order the same printed.

Which motion was withdrawn.

Mr. Littlejohn gave notice that he would, on some future day, ask leave to introduce,

A bill to provide for, and establish a Sinking Fund, to be applied solely to the payment and extinguishment of the principal of the State debt, other than the amounts due to the educational funds.

Mr. Wells, in pursuance of previous notice, asked leave to introduce,
A bill to authorize the Common Council of the city of Detroit to refund certain taxes.

Leave being granted, the bill was introduced, read a first and second time, and referred to the committee on the Judiciary.

Mr. Whitmore moved that Senate joint resolution No. 6, relative to the St. Mary's River, and the St. Clair Flats, be taken from the committee on Internal Improvements and referred to the committee on Federal Relations.

Carried.

Mr. Wendell, pursuant to previous notice, asked and obtained leave to introduce,

A joint resolution relative to instructing the Board of State Auditors to cancel the excess of interest account against Mackinac county.

The joint resolution was read a first and second time, and referred to the committee on State Affairs.

Mr. Sanborn gave notice that on to-morrow, he would ask leave to introduce,

A bill to extend the time for the collection and return of taxes in the towns of Port Huron and Clyde, in the county of St. Clair.

Mr. Barclay gave notice that on some future day he would ask leave to introduce,

A bill to amend section 4, of an act to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road, approved February 14th, 1853.

Mr. Church moved to take from the table the following resolution:

Resolved, That the committee on Public Lands be instructed to inquire into and report to the House as soon as practicable,

1st. Whether there has been any action had under the act entitled "an act to provide for the completion of the canal and locks around the rapids of Grand River, at Grand Rapids," approved April 7, 1851, and especially,

2d. Whether any Commissioner has been appointed and approved under said act.

3d. Whether such Commissioner, if appointed and approved, let or endeavored to let a contract for the completion of said canal and locks, and the removal of the dam appurtenant thereto.

4th. Whether any work, and if so, what amount of work has been done by a contractor or contractors, engaged by such Commissioner.

5th. Whether the said canal, locks and appurtenances were completed in the manner prescribed by the aforesaid act, before the 1st day of January, in the year 1853.

6th. Whether (if the contract for the object aforesaid has remained unlet) the said dam has been taken down, and the obstruction interposed by said dam to the navigation of the said Grand River, removed.

7th. And what is shown or alleged to be the reason of the non-execution of the aforesaid act.

8th. And further, to report to this House the condition, probable value, and the most expedient disposition of the unexpended balance of the original appropriation of 25,000 acres of land made in and by the aforesaid act.

9th. And that, for the purposes aforesaid, the said committee have power to send for persons and papers.

Which motion was carried, and the resolution adopted.

Mr. McIntyre moved to take from the table the memorial for State Teachers' Association, and refer it to the committee on Education.

Carried.

The committee on Engrossment and Enrollment, reported as follows:

The committee on Engrossment and Enrollment, reported as correctly engrossed,

Joint resolutions respecting Slavery in the territories of the United States; also.

A bill to amend section two, of an act for the protection of sheep and other domestic animals, and for other purposes, approved March 28, 1850; also,

A bill to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage.

B. G. STOUT,
Chairman.

THIRD READING OF BILLS.

Joint resolution respecting Slavery in the Territories of the United States,

Was read a third time, and the question being upon its passage,

Mr. Church moved to recommit to the committee on Federal Relations, with instructions to strike out the 6th division and substitute the following:

Resolved, That our Senators in Congress be instructed, and our Representatives are requested to use their exertions to procure the amendment of the Fugitive Slave Law, in the respects following, to wit: In providing for a trial by jury (at the place of capture) of all questions of fact arising under the proceedings had under the said law, and also in providing that the certificate in said law described shall not be conclusive evidence of the facts therein set forth.

Mr. Gregory asked for a division of the question.

Mr. Littlejohn moved to amend the motion to recommit, by instructing the committee to amend the first resolution by striking out all after the enacting clause, and inserting the following:

"That we hold the said repeal, and the submission to the people of the Territories respectively, of the entire question of the admission or exclusion of slavery, as a violation of no mutual constitutional covenant between the free States, and the slave-holding States of the Union, as being justified by the necessity, prospectively, of preserving State rights from the encroachments of federal power, as tending thereby to the internal harmony of the country, and to frustrate the well-known purpose of those who by latitudinarian construction and gradual legislation, designed to merge State sovereignty in central despotism.

The amendment was lost, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Reynolds, |
| Barclay, | Fitch, | Ross, |
| Chamberlin, | Hathaway, | St. Aubin, |
| Chapel, | Hixon, | Sherman, |
| Chatfield, | Kirkland, | Strang, |
| Church, | Littlejohn, | Sutherland, |
| J. Divine, | Parsons, | Wenden, |
| Duncan, | Ralph, | Wilbur, |

24

NAYS.

| | | |
|-------------|-----------|-------------|
| Mr. Ashmun, | Mr. Hurd, | Mr. Parker, |
| Beebe, | Ives, | Pettit, |
| Beecher, | Judd, | N. Power, |
| Brown, | King, | P. Power, |
| Brownell, | Lapham, | Shier, |
| Cady, | Lovell, | Smith, |

| | | |
|---------------|-----------------|-----------|
| R. K. Divine, | Luce, | Stout, |
| Dunakin, | McIntyre, | Tiffany, |
| DuPuy, | Miller, | Tompkins, |
| Eddy, | Mills, | Ward, |
| Edwards, | D. N. Montague, | Wells, |
| Enos, | H. Montague, | White, |
| Gilman, | Moorman, | Whitmore, |
| Gregory, | Mussey, | Williams, |
| Hall, | Noble, | Speaker, |
| | | 45 |

Mr. Strang moved to amend the motion to recommit, by instructing the committee to so amend, as to *request* instead of *instruct* our Senators.

Mr. Gregory rose to a point of order, and was overruled.

The question being on the motion to amend, the same was lost, as follows:

YEAS.

| | | |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Reynolds, |
| Barclay, | Fitch, | Ross, |
| Chamberlin, | Hathaway, | St. Aubin, |
| Chapel, | Hixon, | Sherman, |
| Chatfield, | Kirkland, | Strang, |
| J. Divine, | Littlejohn, | Sutherland, |
| Duncan, | Lomison, | Wendell, |
| Edwards, | Parsons, | White, |
| | | 24 |

NAYS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Ives, | Mr. N. Power, |
| Beebe, | Judd, | P. Power, |
| Beecher, | King, | Ralph, |
| Brown, | Lapham, | Sanborn, |
| Brownell, | Lovell, | Shier, |
| Cady, | Luce, | Smith, |
| Church, | McIntyre, | Stout, |
| R. K. Divine, | Miller, | Tiffany, |
| Dunakin, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Ward, |
| Eddy, | H. Montague, | Wells, |
| Enos, | Moorman, | Wight, |
| Gilman, | Mussey, | Whitmore, |
| Gregory, | Noble, | Williams, |
| Hall, | Parker, | Speaker, |
| Hurd, | Pettit, | |
| | | 47 |

Mr. Chatfield moved to amend by instructing the committee to insert the following as an additional resolution:

Resolved, That our Senators in Congress are hereby instructed, and our Representatives requested, to introduce a bill into Congress and urge the passage thereof, reinstating the 8th section of the act of 6th of March, 1820, erroneously known as the Missouri Compromise Act.

Pending which,

Mr. Beecher moved the "previous question."

The question being, "shall the main question be now put?"

It was sustained, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Judd, | Mr. N. Power, |
| Beebe, | King, | P. Power, |
| Beecher, | Lapham, | Ralph, |
| Brown, | Lomison, | St. Aubin, |
| Brownell, | Lovell, | Sherman, |
| Cady, | Luce, | Shier, |
| J. Divine, | McIntyre, | Smith, |
| R. K. Divine, | Miller, | Stout, |
| Dunakin, | Mills, | Tiffany, |
| DuPuy, | D. N. Montague, | Tompkins, |
| Eddy, | H. Montague, | Ward, |
| Enos, | Moorman, | Wells, |
| Gilman, | Mussey, | White, |
| Gregory, | Noble, | Whitmore |
| Hall, | Parker, | Williams, |
| Hurd, | Pettit, | Speaker, |
| Ives, | | |

49

NAYS.

| | | |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Reynolds, |
| Barclay, | Fitch, | Ross, |
| Chamberlin, | Hathaway, | Sanborn, |
| Chapel, | Hixon, | Strang, |
| Chatfield, | Kirkland, | Sutherland, |
| Church, | Littlejohn, | Wendell, |
| Duncan, | Parsons, | Wilbur, |
| Edwards, | | |

22

The Speaker decided the question to be upon the passage of the resolution,

Mr. Church appealed from the decision.

The question being put, "shall the decision of the Chair stand as the judgment of the House?"

The decision was sustained.

Mr. Fitch asked a privilege of the House, that he might be permitted to write out and publish his views on the subject of the resolution.

On motion of Mr. White,

The privilege was granted.

Mr. Church called for a division of the question before the House.

Ruled out of order by the Speaker.

Mr. Church appealed from the decision.

The question, "shall the decision of the Chair stand as the judgment of the House?" being put,

The decision was sustained.

Mr. Church then gave notice that he should enter a protest, and ask that it be placed on the journal.

The joint resolution was then passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Judd, | Mr. Pettit, |
| Beebe, | King, | N. Power, |
| Beecher, | Lapham, | P. Power, |
| Brown, | Lomison, | Ralph, |
| Brownell, | Lovell, | Sanborn, |
| Cady, | Luce, | Shier, |
| R. K. Divine, | McIntyre, | Smith, |
| Dunakin, | Miller, | Stout, |
| DuPuy, | Mills, | Tiffany, |
| Eddy, | D. N. Montague, | Tompkins, |
| Enos, | H. Montague, | Ward, |
| Gilman, | Moorman, | Wells, |
| Gregory, | Mussey, | White, |
| Hall, | Noble, | Whitmore, |
| Hurd, | Parker, | Williams, |
| Ives, | Parsons, | Speaker. |

48

NAYS.

| | | |
|-------------|--------------|-------------|
| Mr. Atwood, | Mr. Edwards, | Mr. Ross, |
| Barclay, | Ewell, | St. Aubin, |
| Chamberlin, | Fitch, | Sherman, |
| Chapel, | Hathaway, | Strang, |
| Chatfield, | Hixon, | Sutherland, |
| Church, | Kirkland, | Wilbur, |
| J. Divine, | Littlejohn, | Wendell, |
| Duncan, | Reynolds, | |

23

The question being on the adoption of the preamble,

Mr. Church called for a division of the question.

The Chair decided the call out of order.

Mr. Church appealed from the decision.

The question, "shall the decision of the Chair stand as the judgment of the House?" being put,

The decision was sustained.

The preamble was adopted, and no amendment being offered to the title, the same was adopted.

Mr. Parsons gave notice, that to-morrow he should move to reconsider the vote by which the resolution was passed.

House bill No. 29, being,

A bill to amend section two of an act for the protection of sheep and other domestic animals, and for other purposes, approved March 20, 1850,

Was read a third time, and passed by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. P. Power, |
| Ashmun, | Hixon, | Ralph, |
| Barclay, | Hurd, | Reynolds, |
| Beebe, | Ives, | Ross, |
| Beecher, | Judd, | St. Aubin, |
| Brown, | Kirkland, | Shier, |
| Brownell, | Littlejohn | Smith, |
| Cady, | McIntyre, | Stout, |
| Chamberlin, | Middlesworth, | Strang, |
| Chatfield, | Miller, | Sutherland, |
| J. Divine, | Mills, | Tiffany, |
| R. K. Divine, | D. N. Montague, | Tompkins, |
| Dunakin, | H. Montague, | Ward, |
| Duncan, | Moorman, | Wells, |
| DuPuy, | Mussey, | Wendell, |
| Eddy, | Parker, | White, |
| Enos, | Parsons, | Whitmore, |
| Ewell, | Pettit, | Williams, |
| Fitch, | N. Power, | Speaker, |
| Gilman, | | |

NAYS.

| | | |
|-------------|--------------|------------|
| Mr. Chapel, | Mr. Lomison, | Mr. Noble, |
| Church, | Lovell, | Sanborn, |
| Gregory, | Luce, | Wilbur, |
| King, | | |

10

Mr. H. Montague moved that the bill take immediate effect; and withdrew the motion.

A bill to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Was read a third time, and the question being upon its passage,
The House adjourned.

AFTERNOON SESSION.

2 o'clock, P. M.

House called to order by the Speaker.

Roll called; a quorum present.

After some discussion,

Mr. Church moved a call of the House, which was sustained.

Roll called; all the members present.

The bill to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Was then passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Beebe, | Mr. Judd, | Mr. N. Power, |
| Beecher, | King, | P. Power, |
| Brown, | Lapham, | Ralph, |
| Brownell, | Lomison, | Ross, |
| Cady, | Lovell, | Sanborn, |
| R. K. Divine, | Luce, | Shier, |
| Dunakin, | McIntyre, | Smith, |
| Duncan, | Middlesworth, | Stout, |
| DuPuy, | Miller, | Sutherland, |
| Eddy, | Mills, | Tiffany, |
| • Edwards, | D. N. Montague, | Tompkins, |
| Enos, | H. Montague, | Ward, |
| Gilman, | Moorman, | Wells, |
| Gregory, | Mussey, | White, |
| Hall, | Noble, | Whitmore, |
| Hurd, | Parker, | Williams, |
| Ives, | Pettit, | Speaker, 51 |

NAYS.

| | | |
|-------------|----------------|--------------|
| Mr. Atwood, | Mr. J. Divine, | Mr. Parsons, |
| Ashmun, | Ewell, | Reynolds, |
| Barclay, | Fitch, | St. Aubin, |
| Chamberlin, | Hathaway, | Sherman, |
| Chapel, | Hixon, | Strang, |
| Chatfield, | Kirkland, | Wendell, |
| Church, | Littlejohn, | Wilbur, 21 |

On motion of Mr. White,

The House adjourned.

Lansing, Thursday, January 25, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Wood.

Roll called; a quorum present.

The Speaker announced the select committee on the Van Fossen claim, Messrs. Shier, Strang and Ashmun.

The Clerk read the following communication:

LANSING, January 25, 1855.

To the Hon., the officers and members of the House of Rep's:

The ladies of the First Presbyterian Church of Lansing, tender you their compliments, and respectfully invite you to attend the Fair and Supper given by them this evening in this Hall.

By order of the Committee.

PETITIONS.

The Speaker presented the petition of A. F. Bell and 125 others, inhabitants of the county of Ionia, asking for an amendment of the Constitution extending the elective franchise.

Referred to the committee on the Judiciary.

By Mr. Hurd: of S. Ladow and 25 others, asking for the establishment of a State Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. Wendell: of A. L. Nessau-wau-quet, Louis Wanson, Joseph Ke-me-ne-chau-gun, Joseph Nau-nish-co-ta, Chiefs of the Ottawa nation, and 241 other white, half-breed and civilized Indian inhabitants of the counties of Cheboygan, Emmet and Charlevoix, praying for township and county organization.

Also, of Henry Guilbault and 64 other inhabitants of Mackinaw and adjoining counties, praying that the act to organize the county of Emmet, approved January 29, 1853, may be repealed, &c.

Referred to the committee on Towns and Counties.

By Mr. Sanborn: of J. T. Hamilton, treasurer of the township of Port Huron, asking the Legislature to extend the time for the collection of taxes in the township of Port Huron, St. Clair county.

Also, of Arnold Kinney, town treasurer of Clyde, asking the Legislature to extend the time for the collection of taxes therein.

Referred to the committee on the Judiciary.

By Mr. Wells: of S. S. Barnard and others, asking that lots occupied by churches be exempt from taxation, and for the passage of an act to secure that object.

Referred to the committee on Ways and Means.

By Mr. Tiffany: of 30 ladies and others, praying a law to establish an Institution for the education of females.

Referred to the committee on Education.

Also of P. Sharp and 14 others, inhabitants of Lenawee county, praying the establishment of an Agricultural School.

Referred to the committee on Agriculture and Manufactures.

By Mr. R. K. Divine: of William Castel and 23 others, asking for the division of the township of Bushnell, and to organize town ten north of range six west, into a separate township by the name of Evergreen, and that the first township meeting be held at the house of Myron Rider in said town.

Referred to the committee on Towns and Counties.

Also, of Edward Robinson and 15 others asking for the division of the township of Bloomer, and to organize town ten north, of range five west, into a separate township by the name of Crystal Lake, and that the first township meeting be held at the house of John Smith, in said town.

Referred to the committee on Towns and Counties.

By Mr. Lapham: of Geo. H. White and 51 others; also, of John D. Borden and 62 others, for laying out a State road from Grand Rapids, in the county of Kent, to Big Rapids, in the county of Mecosta.

Referred to the committee on Roads and Bridges.

By Mr. Dunakin: of 45 citizens of Calhoun, praying for an appropriation of swamp lands for the endowment of an Institution for the education of females.

Referred to the committee on Education.

By Mr. Wendell: of Joseph Daily, Jr., and others, inhabitants of the county of Emmet, praying to be detached from Beaver Island, &c.

Referred to the committee on Towns and Counties.

By Mr. Middlesworth: of Abraham Middlesworth, Sen., C. A. Larue and 27 others, for judicial reform.

Referred to the special committee on Informalities.

REPORTS OF STANDING COMMITTEES.

The committee on the Judiciary made the following report:

The committee on the Judiciary to whom was referred Senate bill No. 8, being a bill to provide for the commencement of suits in Courts of Record, and to restore sections 2 and 3 of Chapter 97 of revised statutes of 1846, report that they have had the same under consideration, and return the same herewith without amendment, with a recommendation that the same do pass, and ask to be discharged from the further consideration thereof.

A. R. TIFFANY,

Chairman.

Which report was accepted, the committee discharged, and the bill referred to the committee of the Whole, and placed on the general order.

The committee on Towns and Counties made the following report:

The committee on Towns and Counties, to whom was referred the petition of the treasurer of the town and city of Ann Arbor, praying that an extension of time be granted for the collection and return of taxes for the year A. D. 1854, beg leave to report that your committee have had the subject of the petition under consideration, and have instructed their chairman to report a bill in accordance with the prayer of said petitioners, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. R. WHITE,

Chairman.

Which report was accepted, the committee discharged, and the bill read a first and second time, referred to the committee of the Whole, and placed on the general order.

The same committee also made the following report:

The committee on Towns and Counties, to whom was referred the petition of Jan Slag and others, of the county of Ottawa, praying that town six north, of range fifteen west, be annexed to the township of Holland, in said county, beg leave to report that your committee, having had the subject under consideration, instruct their chairman to report a bill in accordance with the prayer of the petitioners, and re-

commend that it do pass, and ask to be discharged from the further consideration of the subject.

J. R. WHITE,

Chairman.

Report accepted, committee discharged, and the bill read a first and second time, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on Towns and Counties, to whom was referred the petition of James S. McGrath and others, citizens of the county of Sanilac, praying for the organization of a certain township, beg leave to report that your committee have had the subject of the petition under consideration, and instruct their chairman to report a bill to the House in accordance with so much of the prayer of the petitioners as relates to the territory embraced in township ten north, of range thirteen, fourteen and fifteen east, and that portion of territory mentioned in said petition, and being the north half of township ten north, of range twelve east, having received previous consideration at the hands of your committee, and having received no new light on the subject to change their former action in the premises, would ask to be discharged from the further consideration of the subject, and recommend that the bill do pass.

J. R. WHITE,

Chairman.

Which report was accepted, the committee discharged, and the bill read a first and second time, referred to the committee of the Whole, and placed on the general order.

Also, the following report:

The committee on Towns and Counties, to whom was referred a bill to amend an act to organize the county of Midland, approved March 29 A. D. 1850, beg leave to report that your committee have had the subject of the bill under consideration, and have instructed their chairman to report the same back to the House with an amendment, and ask the concurrence of the House therein, and recommend that the bill as amended do pass, and the committee discharged.

J. R. WHITE,

Chairman.

Report accepted, committee discharged, and the bill as amended, ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on State Affairs made the following report:

The committee on State Affairs, to whom was referred a resolution of the House, instructing said committee to inquire into the claim of T. S. Atlee, Register of the United States Land Office at Kalamazoo, Michigan, for compensation for registering upon the books of his office, the swamp lands granted to the State by act of Congress of 28th September 1850, have had the same under consideration, and have instructed their chairman to report thereon by the accompanying joint resolution, recommending the passage of the same, and asking to be discharged from its further consideration.

F. J. LITTLEJOHN,

Chairman.

Report accepted, committee discharged, and the joint resolution ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on Banks and Incorporations made the following report:

The committee on Banks and Incorporations, to whom was referred the bill to authorize mining companies to subscribe and take stock in plank or railroads, and to regulate taxation thereon, have had the same under consideration, and instructed me as their chairman, to report the same to the House without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

D. MCINTYRE,

Chairman.

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on Public Lands made the following report:

The committee on Public Lands, to whom was referred the petition of Sullivan Armstrong, praying that the Secretary of State may be authorized to issue patents for certain parcels of school lands in said petition described, have had the same under consideration and have instructed me to report a joint resolution in accordance with the prayer of said pe-

tion, of which they recommend the passage, and ask to be discharged from the further consideration of the subject.

JAS. W. SANBORN,

Chairman.

Which report was accepted, committee discharged, and the joint resolution read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on Public Lands, to whom was referred joint resolution authorizing Eliza M., and Jos. Dutcher, Jr., minors, to re-locate lands, respectfully report, that they have had the same under consideration, and that they find the following state of facts to exist, viz: That the said Eliza Maria and Joseph Dutcher, inherited from their grand father a legacy of fifty dollars; that their father located forty acres of school land for them and paid the fifty dollars, (being one-fourth of the purchase money,) into the Treasury of the State, as required by law, and that the interest on the balance was regularly paid for two years, and that in consequence of sickness and other misfortune, the father was unable to pay the interest thereafter, and that the children in consequence of their youth, (being respectively of the ages of nine and eleven, or thereabout,) were totally unable to meet the demand, and that the land was in consequence forfeited to the State and was subsequently sold by the State as appears from the books of the office; your committee believing this to be a case of peculiar hardship, as well as one of strict justice, recommend the passage of the resolution to the favorable consideration of the House, and ask to be discharged.

JAS. W. SANBORN,

Chairman.

Report accepted, committee discharged, and the resolution ordered printed, referred to the committee of the Whole and placed on the general order.

The committee on Roads and Bridges, made the following report:

The committee on Roads and Bridges, to whom was referred the bill to provide for the opening of a highway across the Upper Peninsula from Marquette on Lake Superior, to Bay de Noquet, and from Copper Harbor to the forks of the Ontonagon, and thence to the Wisconsin State line, have had the same under consideration, and have instructed their chairman to report the same back to the House without

recommendation, and ask to be discharged from the further consideration thereof.

R. K. DIVINE.

Chairman.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole and placed on the general order.

Mr. Hurd, from the committee on Public Lands, asked for further time in which to make minority report on the several bills in reference to the appropriation of swamp lands, and,

On motion of Mr. Church,

Further time was granted.

The committee on Roads and Bridges made the following report:

The committee on Roads and Bridges, to whom was referred,

A bill to provide for the construction of a road from the Straits of Michilimackinac to Saut Ste Marie,

Have had the same under consideration, and have instructed their chairman to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

R. K. DIVINE.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Tiffany, from the committee on the Judiciary, to whom was referred,

A bill to amend chapter 93 of the revised statutes of 1846,

Reported that the committee had had the same under consideration, and reported the bill back, and recommended its passage.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on Agriculture and Manufactures made the following report:

The committee on Agriculture and Manufactures, to whom was referred numerous petitions for the passage of a general law providing for the incorporation of County Agricultural Societies, also a law pre-

oiding for an Agricultural School on an experimental farm, respectfully report that bills for both those purposes having already been reported to this House by them, which bills are now before the Legislature awaiting action, and both of which it is hoped will become laws during the present session, respectfully report the petitions back to the House, and recommend they be laid on the table, and ask to be discharged from the further consideration of the subject.

NATHAN POWER,

Chairman.

Which report was accepted, the committee discharged, and petitions laid on the table.

The committee on Education made the following report:

The committee on Education, to whom was referred the petition of James Dale Johnston, of Detroit, praying that the Legislature afford him its encouraging patronage for his work entitled "Johnston's Detroit City Directory and Advertising Gazette of Michigan, for 1855-6," in ordering whatever quantity of copies for free distribution at the expense of the State, the Legislature, in its wisdom, may deem expedient, respectfully report that they have had the same under consideration, and upon an examination of the prospectus of the work referred to in the petition, they learn that the petitioner has promised those who may send him advertisements to insert in his publication, and as an inducement to their patronage, "that a copy shall be *kept* hung up for reference in each Hotel and Post Office in the State," that he will "devote fifteen hundred copies to gratuitous circulation throughout the Union," and that "a number of copies shall be forwarded to Europe;" your committee are of the opinion that if these promises are faithfully kept, as they have no reason to doubt they will be, the circulation of this work will be as extensive as the Legislature is interested in making it. Your committee therefore recommend that the encouraging patronage of the Legislature be not extended to the petitioner or his work, but that it be reserved for more beneficial purposes, and that the petitioner have leave to withdraw his petition, and your committee ask to be discharged from the further consideration of the subject.

D. MCINTYRE,

Chairman.

Which report was accepted, recommendation for leave to withdraw adopted, and the committee discharged.

Mr. McIntyre, from the committee on Banks and Incorporations, submitted the following report:

The committee on Banks and Incorporations, to whom was referred,
A bill relative to burying grounds,

Have had the same under consideration, and instruct me, as their chairman, to report the bill back to the House, with sundry amendments thereto, in which the concurrence of the House is respectfully requested, and to recommend the passage of the bill as amended, and that your committee be discharged from the further consideration of the subject.

Report accepted, and committee discharged.

On motion of Mr. Parsons,

The bill, with the proposed amendments, ordered printed, referred to committee of the Whole, and placed on the general order.

Mr. McIntyre, from same committee, also made the following report:

The committee on Banks and Incorporations, to whom was referred,
A bill to amend an act entitled an act to incorporate the city of Detroit Gas Light company,

Have instructed me, as their chairman to report that your committee has, pursuant to order, had the bill under consideration, and with the concurrence of the representatives of the Gas Light company and of the common council of the city of Detroit, your committee report the bill back to the House with amendments which are herewith submitted, in which the concurrence of the House is respectfully requested, and your committee ask to be discharged from the further consideration of the subject.

Report accepted, amendments concurred in, and the bill as amended, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. McIntyre, from the committee on Banks and Incorporations, to whom was referred the memorial of the Michigan State Teachers' Association, asking for a subscription by the State, to the Michigan Journal of Education and Teachers' Magazine, made a report upon the subject, and submitted a bill to supply the township School Libraries of the

State with the Michigan Journal of Education and Teachers' Magazine.

Which report was accepted and ordered printed as a House document, and the bill read a first and second time and ordered printed, referred to the committee of the Whole, and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. R. K. Divine gave notice that he would, on some future day, ask leave to introduce,

A bill to organize the township of Pine Grove in the county of Montcalm, and to alter the boundary of certain townships in said county.

Mr. Judd moved that the vote by which the joint resolution respecting slavery in the territories of the United States, was passed, be reconsidered, and moved the previous question thereon.

The question being, "shall the main question be now put?"

Mr. Parsons called for the yeas and nays.

The main question was ordered as follows, (Mr. Ashmun being excused from voting:)

YEAS

| | | |
|---------------|-----------------|-------------|
| Mr. Beebe, | Mr. Judd, | Mr. Pettit, |
| Beecher, | King, | N. Power, |
| Brown, | Lapham, | P. Power, |
| Brownell, | Lomison, | Ralph. |
| Cady, | Lovell, | Sanborn, |
| R. K. Divine, | Luce, | Shier, |
| Dunakin, | McIntyre, | Smith, |
| DuPuy, | Middlesworth, | Stout, |
| Eddy, | Miller, | Tiffany, |
| Edwards, | Mills, | Tompkins, |
| Enos, | D. N. Montague, | Ward, |
| Gilman, | H. Montague, | White, |
| Gregory, | Moorman, | Whitmore, |
| Hall, | Noble, | Williams, |
| Hurd, | Parker, | Spencer, |
| Ives, | | |

46

NAYS.

| | | |
|-------------|-------------|-------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Ross, |
| Barclay, | Fitch, | St. Aubin, |
| Chamberlin, | Hathaway, | Sherman, |
| Chapel, | Hixon, | Strang, |
| Chatfield, | Kirkland, | Sutherland, |
| Church, | Littlejohn, | Wendell, |

J. Divine,
Duncan,

Parsons,
Reynolds,

Wilbur,

23

Mr. Fitch moved a call of the House.

Lost.

The question being on the motion to reconsider, the House refused as follows:

YEAS.

Mr. Atwood,
Barclay,
Chamberlin,
Chapel,
Chatfield,
Church,
Duncan,
Ewell,
Fitch,

Mr. Hathaway,
Hixon,
Kirkland,
Littlejohn,
Lomison,
Lovell,
Parsons,
Reynolds,

Mr. Ross,
St. Aubin,
Sherman,
Smith,
Strang,
Sutherland,
Wendell,
Wilbur,

25.

NAYS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
J. Divine,
R. K. Divine,
Dunakin,
DuPuy,
Eddy,
Edwards,
Enos,
Gilman,
Gregory,
Hall,

Mr. Hurd,
Ives,
Judd,
King,
Lapham,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,

Mr. Parker,
Pettit,
N. Power,
P. Power,
Ralph,
Sanborn,
Shier,
Stout,
Tiffany,
Tompkins,
Ward,
White,
Whitmore,
Williams,
Speaker,

46.

Mr. Parsons gave notice that he would, at some future time, enter his dissent and protest against the passage of the joint resolutions, the vote upon the passage of which, the House had just refused to reconsider, and have his reasons for such dissent entered on the Journals of this House.

Mr. Beebe gave notice that on some future day, he would ask leave to introduce,

A bill to provide for the incorporation of Ecclesiastical bodies.

Mr. H. Montague, pursuant to previous notice, asked and obtained leave to introduce,

A bill to increase the pay of justices of the peace.

Which bill was read a first and second time, and referred to the committee on the Judiciary.

Mr. Sanborn, pursuant to previous notice, asked and obtained leave to introduce,

A bill to extend the time for the collection of taxes in the townships of Emmet, Clyde, St. Clair and Port Huron, in the county of St. Clair.

The bill was read a first and second time, and laid on the table.

Mr. J. Divine moved to take from the table the petition of M. Carington and others, citizens of the county of Sanilac, relative to township 10 north, range 12 east, and refer the same to the committee of the Whole.

Carried.

Mr. Parker gave notice, that on some future day he would ask leave to introduce,

A bill to prohibit the use of the common jails in the several counties, for the detention of persons claimed as fugitive slaves.

Also, a bill to provide for the defence of liberty and the punishment of kidnapping.

On motion of Mr. Edwards,

Resolved, That the committee on Printing be instructed to ascertain whether the State Printer has the necessary facilities for the prompt execution of the printing of this House, and report the result to this House to-morrow.

Mr. Judd gave notice, that he would on some future day ask leave to introduce,

A bill to amend section 6 of chapter 34 of the revised statutes of 1846.

Mr. Chatfield gave notice that he would, to-morrow, ask leave to introduce,

A bill to change the name of the village of Nova Scotia, in the county of Ingham.

Mr. Chatfield asked leave to introduce,

A bill providing for the collection of taxes for the year 1854, in the township of Brookfield, in the county of Eaton, in accordance with previous notice.

Leave was granted, and the bill read a first and second time, and laid on the table.

Mr. N. Power introduced,

Joint resolution for the relief of George Matthews.

Which was read a first and second time, and referred to the committee on Public Lands.

On motion of Mr. Church, it was

Resolved, That act No. 19, of session laws of 1847, act No. 125, of session laws of 1848, acts No. 11 and 210, of session laws of 1849, act No. 36, of session laws of 1850, and act No. 143, of the session laws of 1851, the preamble and joint resolutions No. 36, of the session laws of 1849, and joint resolution No. 4, of the session laws of 1851, and the report of a select committee relative to the Grand Rapids canal, being House document No. 10, of the Legislature of 1851, be referred to the committee on Public Lands.

Mr. Church gave notice that he would ask leave, on some subsequent day, to introduce,

A joint resolution for the relief of Oliver M. Hyde.

Also, that upon some subsequent day, he would ask leave to introduce,

A bill to provide for furnishing a copy of Noah Webster's unabridged dictionary to each organized School District in the State.

Also, that he should on some subsequent day, ask leave to introduce,

A joint resolution instructing the Attorney General of this State to take the necessary steps to procure the possession for this State of lots one, three and four, of fractional section number seventy-five, in town 7 north, of range 12 west, in the city of Grand Rapids, in the county of Kent, (as State building lands,) and authorizing the said Attorney General to bring the proper actions at law, in case of the failure of amicable arrangement (in these premises) with the party claiming adversely to said State.

Mr. Church moved that the committee of the Whole be discharged from the further consideration of,

A bill to extend the time for the collection and return of taxes in the town and in the city of Ann Arbor, in the county of Washtenaw; also

A bill to extend the time for the collection and return of taxes in the townships of Muskegon, Wright, and White River, in the county of Ottawa.

Carried.

Mr. McIntyre moved the order for printing the same be rescinded.

Which motion was carried, and the bills laid on the table.

The House having reached the

GENERAL ORDER,

Resolved itself into committee of the Whole thereon,

Mr. Parsons in the chair.

Having spent sometime, the committee rose and through their chairman reported that they had had under consideration, House bill No. 26, had made some progress thereon, and asked leave to sit again.

Leave was granted, when,

On motion,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Friday, January 26, 1885.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Kniekerbacker.

Roll called; a quorum present.

Mr. Stout asked leave of absence for Mr. Gregory for the day.

Which was granted.

PETITIONS PRESENTED.

By Mr. Pettit: of Ralph Ely and 20 others, asking for the organization of a township in the county of Gratiot.

Referred to the committee on Towns and Counties.

By Mr. Wells: memorial of Lewis Ives, asking for the authority to maintain a bridge in Springwells, also several petitions on the same subject.

Referred to the committee on Roads and Bridges.

By Mr. Fitch: of Whitney Jones, Auditor General, and 144 others, citizens of Lansing, asking an appropriation by the Legislature for the purchase of a fire engine and apparatus.

Referred to the committee on State Affairs.

By Mr. Mills: of S. T. Smith and 18 citizens of the township of Grass Lake, and Eli Church and 34 citizens of the township of Napoleon, Jackson county, asking that certain portions of the township of Grass Lake may be attached to the township of Napoleon.

Referred to the committee on Towns and Counties.

Mr. Duncan presented the resolutions of the Board of Supervisors of Ottawa county, relative to the improvement of the navigation of the Muskegon river, at the sand flats of said river, and the drainage of the swamp lands contiguous thereto.

Referred to committee on Public Lands.

By Mr. Mussey: of P. K. Leach and others, also of Calvin Pierce and 24 others, praying for the establishment of an Agricultural School.

Laid on the table.

Mr. McIntyre presented the memorial of the members of the common council of the city of Ann Arbor, in relation to the extension of the time for the collection and return of taxes in said city.

Laid on the table.

By Mr. R. K. Divine: the petition of C. C. Ellsworth and 40 other inhabitants of the county of Montcalm, for the organization of township 11 north, of range 7 and 8 west.

Referred to the committee on Towns and Counties.

By Mr. White: the petitions of John Chatfield and 30 others, and of J. T. Walton and 94 others, citizens of Lapeer county, asking that towns be authorized to construct plank and gravel roads, and maintain the same by tolls.

Referred to the committee on Towns and Counties.

Mr. Hall: the petition of Miss Sarah Loomis and others, inhabitants or Battle Creek, praying for an appropriation of a part of the fund arising from the sale of swamp lands, in the establishment of a female Seminary.

Referred to the committee on Education.

REPORTS OF STANDING COMMITTEES.

Mr. Littlejohn, from the committee on State Affairs, made the following report:

The committee on State affairs to whom was referred the House "joint resolution instructing the Board of State Auditors, relative to

cancelling the excess of interest account against Mackinaw county," have had the same under consideration, and have instructed their chairman to report the following state of facts: That for a series of years embracing a period from 1837 to the present time, the taxes in said county of Mackinac for State purposes, have been duly collected and returned each year to the County Treasurer of said county, under the tax laws of the State, as they have from time to time been established; that the same having been made by those laws, uniformly returnable to such County Treasurer in the winter, when the communications with the Lower Peninsula were closed, it has been impossible without great expense and hazard, for said County Treasurer to pay the same into the State Treasury *forthwith*, as the law has required. As a general rule the committee are informed that the State Treasurer has been notified by mail, transmitted monthly by a dog train, that said moneys were collected and subject to his order, but they have uniformly remained until about the first of May, when they could be safely transmitted by the County Treasurer to the State Treasurer. The State Treasurer in his interest account with said county for the above term of years, has been in the habit of charging over to said county the interest upon the tax received by him for about two months in each year, that being about the difference in the time of returning as compared with the returns by the County Treasurer's in the Lower Peninsula. The yearly items of charge thus made in the said interest account, although small in themselves, have by aggregation become quite an amount. Your committee believing that in equity no such charge should ever have been made, have also instructed the chairman to report said joint resolution back without amendment, recommending its passage, and asking to be discharged from the further consideration of the subject.

The report was accepted, and the joint resolution laid on the table.

Mr. Wendell, from the committee on Towns and Counties, made the following report:

The committee on Towns and Counties, to whom was referred the three several petitions from residents of the county of Emmet, and others, asking that the main land of said county be detached from its present connection, for county purposes, with Beaver and Fox Islands, ask leave through their chairman to report, that after deliberate examination they find the following to be the facts in the premises:

Section first, article nineteen of the Constitution, provides that "the counties of Mackinac, Chippewa, Delta, Marquette, Schoolcraft, Houghton, Ontonagon, and the Islands and Territory thereunto attached, the Islands of Lake Superior, Huron, and Michigan, and in Green Bay and the Straits of Mackinac, and the river Ste. Marie, shall constitute a separate Judicial District, and be entitled to a District Judge and District Attorney." Sec. 4 provides that "such Judicial District shall be entitled at all times, to at least one Senator, and until entitled to more by its population, it shall have three members of the House of Representatives, to be apportioned among the several counties by the Legislature." It is the unanimous opinion of the committee that the act to organize the county of Emmet, approved January 29th, 1853, by which the Beaver and Fox Islands were embraced in the county of Emmet, belonging to the Lower Peninsula, is clearly and obviously in contravention of the provisions of the Constitution just recited; the Constituion evidently intending to embrace those Islands in the Upper Peninsula, and to separate them judicially and in county organizations, from the Lower Peninsula.

The committee are also united in the opinion that a due regard to the interest, peace and prosperity of the northern part of the Lower Peninsula requires that the Legislature should, so far as the restriction of the Constitution permit, pass laws in accordance with the prayer of the petition referred to.

Your committee is of the opinion that a peculiar state of facts exists in that portion of the State, requiring possibly legislative intervention. Without deciding where the fault principally lies, it is evident that a feeling of deep distrust and repugnance, approaching warlike hostility exists between different classes of people inhabiting the Islands and the main land in that part of the State. From these facts, as well as from the obvious inconvenience, delay, and expense, attending legal and election proceedings, in a county whose territory, settlements, and inhabitants, are separated by a channel of waters from twenty-five to forty miles wide, it is the unanimous decision of the committee, that sound policy and a proper deference to the organic law of the State, both imperatively demands the immediate repeal of said act for the organization of the county of Emmet, approved January 29th, 1853.

Your committee have therefore prepared an act for repealing the same, and recommend its immediate passage.

Your committee would further respectfully, but earnestly, recommend a separate town and county organization be given to the Beaver and Fox Islands, and a separate and distinct organization of suitable county or counties upon the main land.

Which report was accepted, the committee discharged, and the bill referred to the committee of the Whole, and placed on the general order, without being printed.

The committee on Engrossment and Enrollment reported as correctly engrossed, House bill No. 21, entitled,

A bill to provide for the improvement of the mouth of the Ontonagon river.

Messrs. Hurd and DuPuy, minority of the committee on Public Lands, made a report dissenting from the majority report, on the subject of swamp lands.

Which report was ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White gave notice that at some future day, he would ask leave to introduce,

A bill to authorize towns and counties to construct plank and gravel roads, and to maintain them by tolls.

Mr. Atwood moved to take from the table the report of the majority of the committee on Public Lands, in relation to swamp lands, and order the same printed.

Carried.

Mr. Ralph gave notice that on some subsequent day he would ask leave to introduce,

A bill to incorporate the village of Jonesville.

Mr. Atwood, pursuant to previous notice, asked leave to introduce,

A bill for the appropriation of certain internal improvement lands to aid in the construction of a road from Watrousville, in the county of Tuscola, to Lower Saginaw, in Saginaw county.

Leave being granted, the bill was read a first and second time, and referred to the committee on Public Lands.

Mr. Barclay, pursuant to previous notice, asked leave to introduce,

A bill to amend section 4 of an act to authorize the county of Saginaw to loan its bonds in the construction of a plank road, approved Feb. 14, 1853.

Leave was granted, the bill read a first and second time, and referred to the committee on Towns and Counties.

Mr. Beebe, pursuant to previous notice, asked and obtained leave to introduce,

A bill to provide for the incorporation of ecclesiastical bodies.

Bill read a first and second time, and referred to the committee on Banks and Incorporations.

On motion of Mr. Littlejohn, it was

Resolved, That rule 27 of this House be amended by inserting after the word "resolution," therein, the words "with the amendments thereto," so that said resolution as amended will read:

"Every bill and joint resolution, with the amendments thereto, reported by a committee, shall, unless the House shall otherwise direct, be printed, referred to the committee of the whole House, and placed on the general order.

Mr. Mills gave notice that on some future day he would ask leave to introduce,

A bill to attach certain portions of the township of Grass Lake, Jackson county, to the township of Napoleon.

Mr. Chatfield, pursuant to previous notice, asked leave to introduce,

A bill to change the name of the village of Nova Scotia, in the county of Ingham.

Leave granted, and the bill read a first and second time, and referred to the committee on Towns and Counties.

Mr. Chatfield moved to take from the table,

A bill providing for the collection of taxes in the township of Brookfield, in the county of Eaton.

Which motion prevailed, and the bill was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Brown,

Mr. Ewell,
Fitch,
Gilman,
Hall,
Hathaway,

Mr. Noble,
Parker,
Parsons,
Pettit,
N. Power,

| | | |
|---------------|-----------------|-------------|
| Brownell, | Hurd, | P. Power, |
| Cady, | Ives, | Ralph, |
| Chapel, | Judd, | Reynolds, |
| Chatfield, | King, | Ross, |
| Church, | Kirkland, | Sanborn, |
| J. Divine, | Lapham, | Sherman, |
| R. K. Divine, | Lomison, | Sutherland, |
| Dunakin, | Lovell, | Ward, |
| Duncan, | McIntyre, | Wells, |
| DuPuy, | D. N. Montague, | Wendell, |
| Eddy, | H. Montague, | White, |
| Edwards, | Moorman, | Williams, |
| Enos, | Mussey, | Speaker, |

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NAYS.

| | | |
|---------------|-------------|---------------|
| Mr. Hixon, | Mr. Miller, | Mr. Tompkins. |
| Littlejohn, | Stout, | Whitmore, |
| Luce, | Strang, | Wilbur, |
| Middlesworth, | | |

10

The bill was, by a two-thirds vote, ordered to take immediate effect.

Mr. Beecher, chairman of the committee on Ways and Means, moved to suspend the rules, and to be permitted to present,

A bill making appropriations for the salaries of State officers for the years 1855 and 1856.

Which was read a first and second time, and,

On motion of Mr. Beecher,

The rules were suspended, and the bill read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Pettit, |
| Ashmun, | Hurd, | N. Power, |
| Barclay, | Ives, | P. Power, |
| Beebe, | Judd, | Ralph, |
| Beecher, | King, | Reynolds, |
| Brown, | Kirkland, | Ross, |
| Brownell, | Lapham, | Sanborn, |
| Cady, | Littlejohn, | St. Aubin. |
| Chamberlin, | Lomison, | Shier, |
| Chapel, | Lovell, | Smith, |
| Chatfield, | Luce, | Stout, |
| J. Divine, | McIntyre, | Strang, |
| R. K. Divine, | Middlesworth, | Sutherland, |
| Dunakin, | Miller, | Tiffany, |
| Duncan, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Ward, |
| Eddy, | H. Montague, | Wells, |

Edwards,
Enos,
Fitch,
Gilman,
Hall,
Hathaway,

Moorman,
Mussey,
Noble,
Parker,
Parsons,

Wendell,
White,
Whitmore,
Williams,
Speaker,

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NAYS.

Mr. Church,

Mr. Ewell,

2

Ordered to take immediate effect by a vote of two-thirds of all the members.

Mr. McIntyre moved to take from the table,

A bill to extend the time for the collection of taxes in the town and in the city of Ann Arbor, in the county of Washtenaw.

Which motion prevailed, rule suspended, and the bill read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,

Mr. Ewell,
Fitch,
Gilman,
Hall,
Hathaway,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Lomison,
Lovell,
McIntyre,
Middlesworth,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,

Mr. Parker,
Parsons,
Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Sutherland,
Tiffany,
Ward,
Wells,
Wendell,
White,
Williams,
Speaker,

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NAYS.

Mr. Hixon,
Littlejohn,
Luce,

Mr. Miller,
Smith,
Stout,

Mr. Strang,
Tompkins,
Whitmore,

10

The bill was ordered to take immediate effect.

Mr Ashmun gave notice that on some future day he would ask leave to introduce,

A bill to authorize the county of Saginaw to loan its bonds to aid in the improvement of the navigation of Saginaw river.

Mr. Judd, pursuant to previous notice, asked leave to introduce,

A bill to amend section 6, chapter 34, title 6 of the revised statutes of 1846.

Leave was granted, and the bill read a first and second time, and referred to the committee on the Judiciary.

Mr. Duncan moved to take from the table

A bill to extend the time for the collection and return of taxes in the townships of Muskegon, Wright, and White River, in the county of Ottawa.

Carried.

Mr. Church moved that the bill be ordered to be read a third time.

Carried.

Pursuant to notice, Mr. Church asked and obtained leave to introduce,

A joint resolution relative to the purchase of Webster's dictionary.

Which joint resolution was read a first and second time, and referred to the committee on Education.

Pursuant to notice, Mr. Church asked and obtained leave to introduce,

A joint resolution for the relief of Oliver M. Hyde.

Which was read a first and second time, and referred to the committee on Public Lands.

Pursuant to previous notice, Mr. Church asked and obtained leave to introduce,

A joint resolution instructing the Attorney General to institute legal proceedings in behalf of this State, respecting certain State building lands.

Which was read a first and second time, and referred to the committee on Public Lands.

Mr. Brownell, according to previous notice, asked leave to introduce,

A bill to amend section 2, chapter 23, title 6 of the revised statutes of 1846.

Which was read a first and second time, and referred to the committee on the Judiciary.

Mr. Lapham asked leave, according to previous notice, to introduce,

A bill to amend section 47 of chapter 16 of the revised statutes of 1846.

Leave was granted, and the bill read a first and second time, and referred to the committee on the Judiciary.

Mr. Sherman moved to take from the committee of the Whole and general order, House bill No. 25.

Carried.

Mr. Sherman moved to amend section one so as to read as follows: insert section 1, line 1, the word "several," before the word "township," and same line, before the word "Ontonagon," the words "the county of;" also, to amend section 2, line 1, by inserting before the word "township," the word "several," and strike out the word "his," and insert "their."

Which motion prevailed.

The bill was then ordered to be engrossed, and read a third time.

Mr. Sanborn moved to take from the table,

A bill to extend the time for the collection of taxes in the several townships of Emmet, Clyde and Port Huron, in the county of St Clair.

Which bill being read,

Mr. White moved that the bill be recommitted to the committee on the Judiciary, with instructions to add a new section to provide for the return of the unpaid taxes to the Auditor General.

Carried.

THIRD READING OF BILLS.

A bill to provide for the improvement of the mouth of the Ontonagon river,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,

Mr. Gilman,
Hall,
Hathaway,
Hixon,
Hurd,
Judd,
King,
Kirkland,
Lapham,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Roe,
Sanborn,
St. Aubin,
Sherman,
Shier,

| | | |
|---------------|-----------------|-------------|
| Chapel, | Littlejohn, | Smith, |
| Chatfield, | Lomison, | Stout, |
| Church, | Lovell, | Strang, |
| J. Divine, | McIntyre, | Sutherland, |
| R. K. Divine, | Middlesworth, | Tiffany, |
| Dunakin, | Miller, | Tompkins, |
| Duncan, | Mills, | Ward, |
| DuPuy, | D. N. Montague, | Wendell, |
| Eddy, | Moorman, | White, |
| Edwards, | Mussey, | Whitmore, |
| Enos, | Noble, | Wilbur, |
| Ewell, | Parsons, | Williams, |
| Fitch, | Pettit, | Speaker, |

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NAYS.

Mr. Luce,

1

A bill to extend the time for the collection and return of taxes in the townships of Muakegon, Wright, and White River, in the county of Ottawa,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Gilman, | Mr. Parsons, |
| Ashmun, | Hall, | Pettit, |
| Barclay, | Hathaway, | N. Power, |
| Beebe, | Hurd, | P. Power, |
| Beecher, | Ives, | Ralph, |
| Brownell, | Judd, | Reynolds, |
| Cady, | King, | Ross, |
| Chamberlin, | Kirkland, | Sanborn, |
| Chapel, | Lapham, | St. Aubin, |
| Chatfield, | Lomison, | Sherman, |
| J. Divine, | Lovell, | Shier, |
| R. K. Divine, | McIntyre, | Sutherland, |
| Dunakin, | Middlesworth, | Tiffany, |
| Duncan, | Miller, | Ward, |
| DuPuy, | D. N. Montague, | Wells, |
| Eddy, | Moorman, | Wendell, |
| Edwards, | Mussey, | White, |
| Enos, | Noble, | Williams, |
| Ewell, | Parker, | Speaker, |

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NAYS.

| | | |
|-------------|-----------|---------------|
| Mr. Fitch, | Mr. Luce, | Mr. Tompkins, |
| Hixon, | Stout, | Whitmore, |
| Littlejohn, | Strang, | |

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Mr. Stout, from the committee on Engrossment and Enrolment, reported as correctly engrossed,

A bill to provide for the collection of taxes in the township of Ontonagon, in the county of Ontonagon, for the year one thousand eight hundred and fifty-four, and to extend the time of collection thereof.

Mr. Sherman moved that the bill be now read a third time, and put upon its passage.

Carried.

The bill was then read a third time, and passed by the following vote:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Fitch, | Mr. Pettit, |
| Ashmun, | Gilman, | N. Power, |
| Barclay, | Hall, | P. Power, |
| Beebe, | Hathaway, | Ralph, |
| Brownell, | Hurd, | Reynolds, |
| Cady, | Ives, | Ross, |
| Chamberlin, | King, | Sanborn, |
| Chapel, | Kirkland, | St. Aubin, |
| Chatfield, | Lapham, | Sherman, |
| J. Divine, | Lomison, | Shier, |
| R. K. Divine, | Lovell, | Sutherland, |
| Dunakin, | McIntyre, | Tiffany, |
| Duncan, | Middlesworth, | Ward, |
| DuPuy, | D. N. Montague, | Wells, |
| Eddy, | H. Montague, | Wendell, |
| Edwards, | Moorman, | White, |
| Enos, | Noble, | Williams, |
| Ewell, | Parker, | Speaker, |

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NAYS.

| | | |
|-------------|------------|-------------|
| Mr. Hixon, | Mr. Mills, | Mr. Strang, |
| Littlejohn, | Mussey, | Tompkins, |
| Luce, | Smith, | Whitmore, |
| Miller, | Stout, | |

10

Mr. Sherman moved to amend the title by inserting between the words "the" and "township," in the first line, the word "several," and by adding the letter "s" to the word "township," and by striking out the words "of Ontonagon," at the end of the first and beginning of the second line, so that the title will read as follows:

A bill to provide for the collection of taxes in the several townships of the county of Ontonagon, for the year one thousand eight hundred and fifty-four, and to extend the time of collection thereof.

Which motion prevailed.

On motion of Mr. Sherman,

The act was ordered to take immediate effect, by a two-thirds vote of all the members elect.

GENERAL ORDER.

The House having reached the general order, the committee of the Whole resumed its session,

Mr. Parsons in the chair.

After spending some time in the consideration of,

A bill to amend an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad Company, approved January 30, 1847,

Reported the same back to the House, and asked to be discharged from the further consideration of the same.

Report accepted, and committee discharged.

The question recurring upon concurring in the gross of the amendments made to said bill in committee, the same were adopted.

On motion of Mr. White,

The bill was ordered engrossed and read a third time.

Mr. Church moved a suspension of the rules, to enable the committee on the Judiciary to make a report.

Which motion prevailed.

Mr. Tiffany, from the committee on the Judiciary, to whom was referred,

A bill to extend the time for the collection of taxes in the several townships of Emmet, Clyde, St. Clair and Port Huron, in the county of St. Clair,

With instructions to amend the said bill by adding thereto a section providing for the return of all unpaid taxes returned to the county treasurer of the aforesaid county, in pursuance of the preceding sections of the said bill, have instructed me to report that they have complied with the said instructions, and to report the said bill back to the House, amended in accordance therewith, and ask to be discharged, &c.

Report accepted and the committee discharged.

Mr. Sanborn moved a suspension of the rules, to allow the bill referred, to be read a third time and passed.

Which motion prevailed.

The bill was then read a third time and passed, by the following vote:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brownell,
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,

Mr. Ewell,
Fitch,
Gilman,
Hall,
Hathaway,
Hurd,
Ives,
King,
Kirkland,
Lapham,
Lomison,
Lovell,
McIntyre,
Middlesworth,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,

Mr. Parker,
Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Sutherland,
Tiffany,
Ward,
Wells,
Wendell,
White,
Williams,
Speaker,

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NAYS.

Mr. Hixon,
Littlejohn,
Luce,
Miller,

Mr. Mills,
Parsons,
Smith,
Stout,

Mr. Strang,
Tompkins,
Whitmore,

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On motion of Mr. Wells,

The House adjourned till 2 o'clock, P. M.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

The House resolved itself into committee of the Whole on the general order,

Mr. Hall in the chair.

And after spending some time thereon, rose, and through their chairman, reported back to the House without amendment, House bill No. 24, being,

A bill to change the boundary line between Houghton and Ontonagon counties; also House bill No. 18, being,

A bill relative to indictments, with sundry amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration thereof.

Report accepted, committee discharged, and

On motion of Mr. Wells,

Amendments concurred in.

House bill No. 24, was ordered to be engrossed for a third reading, and,

On motion of Mr. Tiffany,

House bill No. 18 was laid on the table.

On motion of Mr. White,

The House adjourned.

Lansing, Saturday, January 27, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Franklin.

Roll called; a quorum present.

PETITIONS PRESENTED.

By Mr. Gregory: of Sarah H. Fairman and 21 others; also, of Isaac N. Hedden and 31 others, asking an appropriation from the proceeds of the swamp land sales for the endowment of an institution of learning for females.

Referred to the committee on Education.

By Mr. Wendell: of A. S. Wadsworth, M. Crawford & Co., Thos. Mitchell, J. Rankin & Sons, Cowles & Campbell, and 150 others, inhabitants of Grand Traverse and Antrim counties, praying that the Fox and Beaver groups of Islands be detached from the main land, &c.

Laid on the table.

By Mr. Luce: the remonstrance of D. F. Gates and 50 other citizens of Branch county, against the passage of an act to consolidate the stock of the Michigan Southern and Northern Indiana Railroad Company.

Referred to the committee on Banks and Incorporations.

By Mr. Ashmun: the petition of Curtis Emerson and 67 others; also, of R. B. Hall, M. L. Gage and 50 others, citizens of Saginaw, asking the passage of a law authorizing the county of Saginaw to have its bonds to aid in the improvement of the navigation of Saginaw River.

Referred to the committee on Internal Improvements.

REPORTS OF STANDING COMMITTEES.

The committee on Roads and Bridges made the following report:

The committee on Roads and Bridges, to whom was referred the petition of George H. White and 114 others, petitioning for an act for the laying out of a State Road, commencing in the State Road running from the city of Grand Rapids to Greenville, at the quarter post between sections 11 and 12, in township of 8 north, of range 11 west, in the county of Kent, thence running northerly on the most practicable route on or near the township line, between range 10 and 11 to Big Rapids, in the county of Mecosta, have had the same under consideration, and have instructed me as their chairman, to report a bill in accordance with the prayer of said petitioners, of which they recommend the passage, and ask to be discharged from the further consideration of the subject.

R. K. DIVINE,

Chairman.

Which report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. R. K. Divine, from the same committee, to whom was referred the memorial of Lewis Ives, asking for authority to maintain a bridge at Ives' dock, in the town of Springwells; also, other petitions on the same subject, reported that they had had the same under consideration, and presented a bill in accordance therewith.

Which report was accepted, ordered printed, and the bill read a first and second time, ordered printed, referred to the committee of the Whole and placed on the general order.

The same committee also reported, in reference to the expediency of appropriating a certain sum of money, or in lieu thereof a certain quantity of the swamp lands, for the purpose of laying and opening a road from Lansing to the Straits of Michilimackinac, &c.

Which report was accepted and ordered printed.

The committee on Public Lands, made the following report:

The Committee on Public Lands having had under consideration the petition of Isaac Turner, through their chairman, report a bill authorizing him to purchase the south half of lot No. 2, section 25, town 7 north, of range 12 west, and recommend the passage of the same.

JAMES W. SANBORN,

Chairman.

Your committee also submit a statement of facts in reference to said petition, and as sworn to by Mr. Turner and Mr. Patterson.

Which report was accepted, committee discharged, the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order, and the statement of facts laid on the table and ordered printed.

Mr. Sanborn, from the same committee, reported as follows:

The committee on Public Lands have had under consideration,

Joint resolution instructing the Attorney General to institute legal proceedings respecting certain State building lands,

And recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the joint resolution read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Sanborn, from the committee on Public Lands, reported back,

Joint resolution for the relief of Oliver M. Hyde,

And recommended the passage of the same.

- The report was accepted, the committee discharged, and the resolution read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Sanborn, from the committee on Public Lands, reported back,

Joint resolution for the relief of Robert Howlett,

And recommended that the same do pass.

Report accepted, the committee discharged, and the resolution read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Littlejohn, from the committee on State Affairs, made the following report:

The committee on State Affairs, to whom was referred the memorial of George Bliss, in behalf of the Erie & Kalamazoo Railroad Company, have had the same under consideration, and have instructed their chairman to report thereon, that it has been made to appear before your committee that the said company was incorporated by the Legislative Council of the Territory of Michigan, at an early day, before the act of Congress setting off the Toledo district to the State of Ohio; that by the operation of said boundary line adjustment, by Congress, about one-third in distance of the entire line of road of said company, was thrown within the territorial and jurisdictional limits of the State of Ohio; that the outlay upon the portion of said road in Ohio, as aforesaid, embracing the capital stock paid in, and the proceeds of loans for construction has been very nearly in the ratio of the entire length of line per mile.

It also appears manifest that the Legislature, by act of May 18, 1846, whilst amending the said original charter of said company, also provided therein that said company should pay to the State a specific tax of one-half of one per cent. upon its capital stock paid in, and also upon all loans made to said company for the purpose of constructing said railroad, irrespective of the fact that a large portion of the running track of said company was in the State of Ohio, and upon which said company are compelled to pay a tax to said last mentioned State.

Your committee are impressed with the justness of the view taken by said memorialist in behalf of said company, but encountering some difficulty as to the proper method of reaching the evil complained of, your committee have instructed their chairman to report back the joint resolution so referred to them, without amendment or recommendation, and to ask that your committee be discharged from the further consideration of the subject.

The committee on the Judiciary made the following report:

The committee on the Judiciary, to whom was referred House bill to amend section 2, chapter 23, title 6 of the revised statutes of 1846, relative to work on highways, and House bill to amend section 6, chapter 34, title 6 of the revised statutes of 1846, in relation to interest on judgments, have instructed me to report the same back to the House, with a recommend that they severally do pass.

And the same committee, to whom was referred Senate bill No. 25, to re-enact sections 24 and 25, chapter 90 of the revised statutes, and to

repeal section 16 of an act to prohibit the maintaining suits in equity, approved June 28, 1851, have instructed me to report the same back to the House, subject to such action as the House may take thereon, and ask to be discharged, &c.

A. R. TIFFANY,

Chairman.

Report accepted, committee discharged, and the two first named bills ordered printed, and all referred to the committee of the Whole, and placed on the general order.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 25, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives, joint resolution No. 7, being,

Joint resolution for the relief of John C. Walker, a purchaser of Primary School Land,

Which the Senate have passed by a vote of a majority of all the Senators elect, and by a two-thirds vote of same, was ordered to take immediate effect, in which the concurrence of the House is respectfully asked.

Very Respectfully,

I. W. WILDER,

Sec'y Senate.

Which message was laid on the table, and the joint resolution read a first and second time, and referred to the committee on the Judiciary.

Also, the following:

SENATE CHAMBER,
Lansing, January 26, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit to the House of Representatives Senate bill No. 16, being,

A bill to authorize the Auditor General to issue a land warrant to Luke H. Parsons.

Also, Senate bill No. 37, being,

A bill to provide for laying out and establishing a State road from the city of Grand Rapids to the township of Cannon, in Kent county,

Each of which the Senate have passed by a vote of a majority of all the Senators elect, and the first named bill ordered to take immediate effect, by a vote of two-thirds of said Senators, in which the concurrence of the House is respectfully asked.

Also, to return House bill, being,

A bill to organize the township of Greenland and define the boundaries thereof, and other purposes,

In which the Senate have concurred by a majority vote of all the Senators elect, and ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Very respectfully,

L. W. WILDER,

Sec'y of Senate.

Which message was laid on the table, and the two first bills read a first and second time, the first referred to the committee on Public Lands, and the second referred to the committee on Roads and Bridges, and the third named bill referred to the committee on Engrössment and Enrollment, for enrollment.

Also, the following:

SENATE CHAMBER,
Lansing, January 27, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to return to the House of Representatives, House bills, being,

A bill to change the name of the township of Antrim, in the county of Grand Traverse.

A bill to extend the time for the collection of taxes in the town and city of Ann Arbor.

A bill to extend the time for collecting taxes in the township of Brookfield, in the county of Eaton, for the year 1854, and for legalizing the assessment roll for said township, for the year aforesaid.

A bill to extend the time for the collection and return of taxes in the townships of Muskegon, Wright and White River, in the county of Ottawa.

A bill to extend the time for the collection of taxes in the several townships of Emmet, Clyde, St. Clair and Port Huron, in the county of St. Clair.

A bill to provide for the collection of taxes in the several townships in the county of Ontonagon, for the year 1854, and to extend the time of collection thereof.

In all of which the Senate have concurred by a vote of a majority of all the Senators elect, and by a vote of two-thirds of said Senators all were ordered to take immediate effect.

Very respectfully,

L. W. WILDER,

Secretary of the Senate.

The message was laid on the table, and the bills all ordered to be enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Moorman, pursuant to previous notice, asked leave to introduce, A bill to control the title to property held by religious societies.

Leave being granted, the bill was introduced, read a first and second time, and referred to the committee on Banks and Incorporations.

On motion of Mr. Chapel, it was

Resolved, That this House, on and after Monday next, hold evening sessions until the business of this House is so far advanced as to render evening sessions unnecessary.

Mr. Wells moved to suspend so much of House Rule No. 34, as provides that the speaking in committee of the Whole shall not be limited.

Which motion prevailed.

On motion of Mr. Wells, it was

Resolved, That during the present session, no member shall be allowed to speak more than fifteen minutes at any one time, upon any question, either in the House or in committee of the Whole, without the consent of the House or the committee of the Whole, nor more than once on the same question, in committee of the Whole, without such consent.

Mr. Fitch gave notice that he would on some future day ask leave to introduce,

A bill making an appropriation for the purchase of a fire engine, for the protection of the State property at the Capital.

Mr. Parker, pursuant to previous notice, asked leave to introduce,

A bill to provide for the defense of liberty and the punishment of kidnapping.

Leave being granted, the bill was read a first and second time, and referred to the committee on the Judiciary.

Mr. Beebe, pursuant to previous notice, asked and obtained leave to introduce,

A bill to incorporate Ecclesiastical bodies.

Which was read a first and second time and referred to the committee on Banks and Incorporations.

Mr. McIntyre, from the committee on Education, reported as follows:

The committee on Education, to whom was referred so much of the message of the Governor and retiring Governor as relates to the subject of education, have, according to order, had the same under consideration, and instructed their chairman to report the accompanying bill.

Which report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

The committee on Indian Affairs reported, that the government of the United States are now taking measures for the settlement of the Indians in this State on permanent homes, for the accomplishment of which the aid and concurrence of the government of this State is necessary. To that end the committee have prepared,

Joint resolutions relative to the Indians in Michigan,

Which the committee ask leave to report, and recommend that they be passed.

JAMES J. STRANG,
D. N. MONTAGUE,
HENRY C. ASHMUN.

The report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, and placed on the general order.

The committee on Towns and Counties made the following report:

The committee on Towns and Counties, to whom was referred,

A bill to change the name of the village of Nova Scotia, in the county of Ingham,

Ask leave to report that your committee have had the subject under consideration, and instructed their chairman to report the bill back to

the House, without amendment, and ask to be discharged from the further consideration of the subject.

J. R. WHITE,

Chairman.

The report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on Towns and Counties, to whom was referred the petition of Lincoln Small and others, asking to be organized into a township, beg leave to report that your committee have had the subject of the petition under consideration, and have instructed their chairman to report a bill to the House in accordance with the prayer of the petitioners, and recommend that it do pass, and the committee be discharged, &c.

J. R. WHITE,

Chairman.

The report was accepted, the committee discharged, and the bill read a third time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Also the following:

The committee on Towns and Counties, to whom was referred the petition of John Franklin and others, asking for the organization of a township therein mentioned, in the county of Gratiot, beg leave to report that your committee have had the subject of the petition under consideration, and instruct their chairman to report a bill in accordance with the prayer of said petitioners, and recommend that it do pass, and the committee be discharged, &c.

J. R. WHITE,

Chairman.

Which report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Also the following:

The committee on Towns and Counties, to whom was referred a bill to incorporate the village of Dundee, in the county of Monroe, beg leave to report that they have had the subject of said bill under con-

sideration, and have instructed their chairman to report the same bill back to the House with a substitute, and ask to be discharged from the further consideration of the subject.

J. R. WHITE,
Chairman.

Report accepted, committee discharged, and the substitute ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on Towns and Counties, to whom was referred the petition of Henry Lane and 16 others, supervisors of the county of Clinton, praying that the act of said board of supervisors, in attaching certain territory to the town of North Shade, be legalized, beg leave to report that your committee have had the subject of said petition under consideration, and it appearing that in the month of October 1853, the board of supervisors in and for the county of Clinton, at their annual meeting held at the village of De Witt, the county seat of said county, did organize township No. 9 north, of range 4 west, into a township by the name of North Shade, and also at the same time did attach township 10 north, of range 4 west to the said town of North Shade for township purposes; that subsequently thereto, an election was held in said town and the territory thus assumed to be attached, by the electors thereof, and the officers authorized by law to be chosen in the several towns of this State, were duly elected and qualified as in such case made and provided, in the said town of North Shade: That in pursuance of law the supervisor of said town of North Shade, made an assessment of taxes in and for said township, and delivered the tax roll to the treasurer of said township within the time prescribed by law for levying and collecting taxes for the year 1854. With these facts before them, your committee have instructed their chairman to report a bill to the House in accordance with the wishes of the petitioners, and recommend that it do pass, and the committee be discharged from the further consideration of the subject.

J. R. WHITE,
Chairman.

The report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Stout, from the committee on Engrossment and Enrollment reported as follows:

The committee on Engrossment and Enrollment, report as correctly enrolled, signed, and presented on Friday, to the Governor for approval,

A bill supplementary to an act entitled "an act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes."

Also, as correctly engrossed, House bill No. 24, entitled,

A bill to change the boundary line between Houghton and Ontonagon counties.

Also, House bill No. 26, entitled,

A bill to amend an act entitled "an act to incorporate the Port Huron and Lake Michigan Railroad Company, approved Jan. 30, 1847.

B. G. STOUT,

Chairman.

Mr. Ralph, pursuant to previous notice, asked and obtained leave to introduce,

An act to incorporate the village of Jonesville.

Which was read a first and second time, and referred to the committee on Towns and Counties.

Mr. Wells was called to the chair.

Mr. Mills asked and obtained leave to introduce,

A bill to provide to annex certain portions of the township of Grass Lake, county of Jackson, to the township of Napoleon.

Which was read a first and second time and referred to the committee on Towns and Counties.

Mr. H. Montague offered the following resolution:

Resolved, That the committee on Supplies and Expenditures are hereby ordered to inquire into the amount of supplies furnished each committee, and report the same to this House as speedily as possible.

Mr. Fitch moved to lay the resolution on the table, which motion was lost by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-------------|-------------|
| Mr. Atwood, | Mr. Fitch, | Mr. Parker, |
| Ashmun, | Kirkland, | Sanborn, |
| Barclay, | Littlejohn, | St. Aubin, |
| Beebe, | Lomison, | Smith, |
| Brownell, | Lovell, | Wells, |
| DuPuy, | Miller, | Speaker, |

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NAYS.

| | | |
|---------------|-----------------|---------------|
| Mr. Beecher, | Mr. Hathaway, | Mr. N. Power, |
| Brown, | Hixon, | P. Power, |
| Cady, | Hurd, | Ralph, |
| Chapel, | Ives, | Reynolds, |
| Chatfield, | Judd, | Ross, |
| Church, | King, | Sherman, |
| J. Divine, | Lapham, | Shier, |
| R. K. Divine, | Luce, | Stout, |
| Dunakin, | McIntyre, | Strang, |
| Duncan, | Mills, | Sutherland, |
| Eddy, | D. N. Montague, | Tiffany, |
| Edwards, | H. Montague, | Tompkins, |
| Enos, | Moorman, | Ward, |
| Ewell, | Musey, | Wendell, |
| Gilman, | Noble, | White, |
| Gregory, | Parsons, | Whitmore, |
| Hall, | Pettit, | |

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Mr. Fitch moved that the resolution be indefinitely postponed.

The yeas and nays were called for,

When Mr. Fitch withdrew the motion.

Mr. Sherman moved to refer the resolution to the committee on Informalities.

Which motion was laid on the table, and the resolution adopted.

On motion of Mr. McIntyre,

The bill relative to Free Schools, introduced to day, was ordered to take precedence of all other bills in the order of printing and reference.

The Speaker resumed the chair.

Mr. DuPuy gave notice that on some future day he would ask leave to introduce,

A bill regulating the compensation of Supervisors in certain cases.

Mr. Wendell gave notice that he would ask leave at some future day to introduce,

A bill to annex to Cheboygan county, all that part of range, in two east, now in Presque Isle county, as per request of inhabitants of said Territory.

Mr. Parker gave notice that at some future day he would ask leave to introduce,

A bill to amend section 40, chapter 53, title 11 of the revised statutes of 1846, relative to the duties of Directors of School Districts furnishing fuel for Primary Schools; also,

A bill to amend sections 2 and 13 of chapter 57, title 11 of the revised statutes of 1846, relating to the University of Michigan.

Mr. Strang moved that the bill to organize the county of Delta, be taken from the table, printed, and placed on the general order.

Carried.

Mr. Gregory asked leave, previous notice having been given, to introduce,

Joint resolution relative to the distribution of the session laws, journals and documents of the Legislature, for the year 1855.

Leave being granted, the resolution was read a first and second time, and referred to the committee on Ways and Means.

Mr. Gregory gave notice that he intends, on some subsequent day, to ask leave to introduce,

A bill relative to the election of County Auditors in the county of Wayne; also,

A bill to prescribe the form of a deed of real estate; also,

Joint resolution relative to an exchange of lots with the First Baptist Church and Society of Lansing; also,

Joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing.

Mr. Hall gave notice that on some subsequent day he would ask leave to introduce,

A bill authorizing attorneys of courts of record to administer oaths and take acknowledgments of deeds and other conveyances.

THIRD READING OF BILLS.

A bill to change the boundary line between Houghton and Ontonagon counties.

Mr. Parsons moved to suspend the rule requiring engrossment, in order to put the bill upon its passage to-day.

Which motion prevailed.

The bill was then read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Barclay,
Beebe,
Brown,
Brownell,
Cady,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Fitch,
Hall,
Hathaway,
Hixon,
Hurd,

Mr. Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Miller,
Mills,
D. N. Montague,
Moorman,
Noble,
Parker,
Parsons,
Pettit,
N. Power,
P. Power,
Ralph,

Mr. Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

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NAYS.

Mr. Chapel,
Chatfield,
Enos,
Ewell,

Mr. Gilman,
King,
H. Montague,

Mr. Mussey,
Smith,
Stout,

10

Mr. Sherman moved that the bill take immediate effect.

Lost.

On motion of Mr. Parsons,

Leave of absence was granted to Mr. Chamberlin until Tuesday.

The vote by which the House refused to order the bill to change the boundary line between Houghton and Ontonagon, to take immediate effect, was reconsidered and the bill ordered to take immediate effect.

A bill to amend an act entitled "an act to incorporate the Port Huron and Lake Michigan Railroad Company, approved Jan. 30, 1847, was announced for a third reading, when

Mr. Stout moved to re-commit the bill, with instruction to the committee to insert after the words "par value," in the sixteenth line of sec-

tion 1 of the amendatory act, the words

; also, amend section 20 by striking out in the 6th line the word "but," and in the 6th and 7th lines the words "shall not exceed," and insert in lieu thereof the words "may equal;" also, by inserting after the word "distances," in the 8th line the words "until reduced by special act of the Legislature."

Motion withdrawn, and

Mr. Stout moved to recommit with instructions to provide that the rate of dues and tolls may be reduced by act of the Legislature.

On motion of Mr. Littlejohn,

The motion to recommit was laid on the table.

GENERAL ORDER.

The House having reached the general order, went into committee of the Whole,

Mr. Church in the Chair.

And after spending some time thereon, rose, and through their chairman reported that the committee had had under consideration Senate bill No. 14, being,

A bill to amend section 17, chapter 106 of the revised statutes of 1846,

Which they had amended by striking out all after the enacting clause; also, House bill No. 27, being,

A bill to amend section 9 of chapter 25, title 6 of the revised statutes of 1846.

Also House bill No. 31, being,

A bill to amend certain sections of an act entitled "an act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved Feb. 14, 1853, without amendment.

Also, House bill No. 33, being,

A bill for the relief of certain purchasers of primary school lands, with sundry amendments, in which the concurrence of the House was asked, and asked to be discharged from the further consideration thereof.

Report accepted, committee discharged, and,

On motion of Mr. Wells,

The amendments were concurred in, in gross.

On motion of Mr. Wells,
The House adjourned.

—
AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

The enacting clause of Senate bill No. 14, was,

On motion,

Indefinitely postponed.

On motion of Mr. Atwood,

House bill No. 27 was laid on the table.

Mr. Tompkins moved to amend House bill No. 31, as follows:

Add to section 1, "and it shall be lawful for said taxable inhabitants, on receipt of said blank, to fill out and return the same to the Supervisor immediately."

Carried.

Mr. Mussey moved to lay the bill on the table.

Carried.

House bill No. 33 was ordered to be engrossed for a third reading.

GENERAL ORDER.

The House then went into committee of the Whole, on the general order,

Mr. Church in the Chair.

After spending some time thereon, the committee rose, and through their chairman, reported back to the House, joint resolution No. 2, instructing our Senators, &c., in Congress relative to United States military reserves in the vicinity of Fort Mackinac, with amendments, in which the concurrence of the House was asked; also, that the committee had had under consideration House bill No. 35, on which they had made some progress, and asked leave to sit again.

The report was accepted, the committee granted leave to sit again on bill No. 35, and the amendments to the resolution concurred in.

On motion of Mr. Littlejohn,

The rule requiring engrossment was suspended.

The resolution was then ordered to be read a third time, and

On motion of Mr. Parsons,

The rule requiring that the 3d reading should take place on the next day, was suspended, and the resolution read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hurd, * | Mr. Pettit, |
| Ashmun, | Judd, | N. Power, |
| Beebe, | King, | Ralph, |
| Brownell, | Kirkland, | Reynolds, |
| Cady, | Lapham, | Ross, |
| Chapel, | Littlejohn, | Sanborn, |
| Church, | Lomison, | Shier, |
| J. Divine, | Lovell, | Smith, |
| R. K. Divine, | Luce, | Stout, |
| Dunakin, | McIntyre, | Strang, |
| Duncan, | Middleworth, | Sutherland, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | Mills, | Tompkins, |
| Edwards, | D. N. Montague, | Ward, |
| Enos, | H. Montague, | Wells, |
| Ewell, | Moorman, | Wendell, |
| Gilman, | Musey, | White, |
| Hall, | Noble, | Whitmore, |
| Hathaway, | Parker, | Williams, |
| Hixon, | Parsons, | Speaker, |

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NAYS.

Mr. White moved to amend the title by striking out " &c."

Mr. Stout moved to amend the title so as to read as follows:

"Joint resolution relative to United States Military Reservations in the State of Michigan."

Which motion prevailed.

With the unanimous consent of the House, the committee on the Judiciary made the following report:

The committee on the Judiciary, to whom was referred

A bill to amend section 47 of chapter 15, of title 4 of the revised statutes of 1846, relative to the duties of overseers of highways, have had the same under consideration, and have instructed me to report the same back with a substitute therefor, and that they request the concurrence of the House in the proposed substitute, and recommend its passage.

A. R. TIFFANY,

Chairman.

Which report was accepted, the committee discharged, and the substitute ordered printed, referred to the committee of the Whole and placed on the general order.

On motion,

The House adjourned.

Lansing, Monday, January 29, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

Absent, Messrs. Chamberlin, St. Aubin and Wilbur.

Leave of absence was asked for Mr. Gregory for the day;

Which was granted.

PETITIONS PRESENTED.

By Mr. J. Divine: of A. W. Hand and 66 others, for incorporating the village of Lexington, in the county of Sanilac.

Referred to the committee on Banks and Incorporations.

By Mr. Shier: of Allen Buck and 79 others, that a fund be set apart from the proceeds of the sales of the swamp lands for an institution of learning for females.

Referred to the committee on Education.

By Mr. Wells: sundry petitions for authority to Lewis Ives to maintain a bridge in the town of Springwells.

Laid on the table.

By Mr. Barclay: of Hiram L. Miller and 75 others, praying that the Legislature may pass an act authorizing the county of Saginaw to issue her bonds for certain purposes.

Referred to the committee on Internal Improvements.

By Mr. Strang: of William H. Morgan and 104 others, inhabitants of the counties of Mecosta and Newaygo, asking that Mecosta may be attached to Newaygo for certain purposes, and for the legalization of records of conveyance of real estate lying in Mecosta, and now recorded in the county of Newaygo.

Referred to the committee on the Judiciary.

Also, petition of John A. Brooks and 165 others, asking that an improvement of the navigation of the Muskegon river be made and aided by an appropriation of swamp lands in its vicinity.

Referred to the committee of the Whole.

REPORTS OF STANDING COMMITTEES.

By Mr. McIntyre: The committee on Education have instructed me, as their chairman, to report to the House the accompanying bill to extend certain rights and privileges to persons who are tax payers, but not qualified voters in School Districts, and to recommend the passage of the same. It appears from representations made to your committee, that there are some School Districts in the State where there are large numbers of colored persons who are tax payers, and who, under existing laws, are deprived of the right of voting at School Meetings, upon all questions, thus excluding them from their proper influence upon questions by which their property may be taxed, and on other questions of deep interest to them. It also appears to your committee that in some School Districts there are not white citizens enough to fill the School District offices, and that some of the School Districts are inconveniently large for the sole reason that they may include white persons, and that it is desirable that their boundaries should be diminished, which if it be done, will in some cases probably result in the organization of School Districts composed entirely of colored persons, when under the former laws there would be no persons in such Districts who would be authorized to vote upon any questions, so that such Districts would be unable to exercise the corporate rights of School Districts. The bill herewith submitted is intended to provide a remedy for all such cases. Your committee therefore respectfully recommend it to the favorable consideration of the House, and trust that it may speedily become a law.

The report was accepted, the committee discharged, and the bill read a first and second time, referred to the committee of the Whole, and placed on the general order.

By Mr. Beecher: report of the special committee to whom was referred the subject of the Asylum for the Deaf, Dumb, and Blind, was made, accepted, and the committee being discharged, laid on the table and ordered printed.

B. G. Stout, from the committee on Engrossment and Enrollment, reported as correctly engrossed, House bill No. 33, entitled,

A bill for the relief of certain purchasers of Primary School lands.

Mr. Mills, chairman of the committee on State Prison, who were instructed to examine, take testimony, and report the condition and management of the Prison, submitted a report with accompanying testimony,

Which report was accepted, the committee discharged, and the report with testimony, laid on the table and ordered printed.

Mr. McIntyre, from the committee on Education, to whom was referred sundry petitions asking for the establishment and endowment of a female college, have, according to order, had the same under consideration, and instructed me to report the accompanying bill without recommendation, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

By the same:

The committee on Education, to whom was referred,

A joint resolution relative to Webster's dictionary,

Have, according to order, had the same under consideration, and instructed me, as their chairman, to report the accompanying bill as a substitute therefor, and to recommend its passage, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Also:

The committee on Education, to whom was referred Senate bill No. 15, to provide for the incorporation of colleges and other institutions of learning, have, according to order, had the same under consideration, and instructed me, as their chairman, to report the same to the House, with sundry amendments thereto, in which the concurrence of the House is respectfully asked, and to recommend the passage of the bill as amended, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendments concurred in, and the bill, as amended, ordered printed, and placed on the special order for Tuesday.

Mr. Tiffany, from the committee on the Judiciary, to whom was referred the bill to prevent the wrongful taking, detaching from the ground, or injuring any fruit tree, ornamental tree, shade tree, ornamental shrub, plant, vine or vegetable, have had the same under consideration, and have instructed me to report the same back to the House, with a recommendation that it do pass, and ask to be discharged, &c.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Middlesworth, from the committee to whom was referred,

A bill to regulate informalities,

Has had the same under consideration, and reported the same back without amendment, and respectfully ask its passage.

Messrs. Strang, J. Divins, Asa Reynolds, and George Brown, the majority of the same committee, reported adversely to the passage of the bill, as follows:

The undersigned, a majority of the special committee to which was referred,

A bill to regulate informalities, and also a memorial praying for Judicial reforms,

Beget leave to report, that we have given to the subjects referred to us, that careful and deliberate attention which we feel bound to bestow upon any subject which this honorable body shall see fit to charge us with the responsibility of preparing and recommending for their action, and have not been able to avoid the conclusion, that the wisdom which has been developed by the experience of ages, and justified by successful use through long periods of time, is preferable to the new-born and untried.

Abler men than we are, will be required to tinker up a new Judiciary system so far superior to the present, as to justify radical changes; and we lack the ambition to inscribe our names on a new code of laws, changing the entire constitution of our courts, and the course of Judicial proceedings, so as to dispense with the use of existing legal forms.

Had we such an ambition, we lack the creative power which "spoke and worlds were made," and should despair of accomplishing so great a work, and making this House so well acquainted with it, as to induce its adoption in the meagre remains of the poor pittance of forty days allowed to us.

We regard the forms of the law as necessary to the effectual defence of the citizen against injustice, and though isolated cases doubtless occur, of wrongs done by the technicality of the law, they are far less numerous than what would grow in a loose and informal practice.

Care and exactness, in legal forms, are the types of civilization; and the changes which are necessary to keep them up with the advance of mankind, are their natural growth, and not the offspring of the heated brain of a new fledged Legislator. In the intellectual and the moral, as well as in the physical world, it is slow growths only, that are enduring.

Among all the existing codes of law, it is questionable whether the oldest is not the best; and though that emanated from a legislator of extraordinary wisdom, and remarkable executive capacity, we do not learn that more than ten sections were enacted in forty days.

Yet we strongly doubt whether ten volumes would dispense with the use of those legal forms of which experience has demonstrated the utility. The absence of formality in legal proceedings indicates a low order of civilization, and the demand for those reforms which dispense with existing technicalities, originates in ignorance, not in wisdom. Lawyers, who do not know how to draw indictments, and Notaries, who have failed in an attempt to extend a protest, or certify the acknowledgment of a deed, may discredit legal technicalities, and possibly get a reputation as reformers, which they could not otherwise attain to.

The best thing that could be hoped for, were this Legislature to dispense with legal formalities, is, that whereas now, ignorant men are uncertain of legal rights, then, the rights themselves would be uncertain. Of this, lynch law is an apt illustration, and the next step beyond, is mere barbarism.

The memorial referred to us urges the adoption of the following reforms in the Judicial system, which, as a fair sample of informality, we beg leave to state in the exact words of the memorialists:

1st. That technicality of form in courts of equity be dispensed with.

2d. That all judicial officers, in their respective official capacities shall be bound by their oath of office, to judge, adjust and settle all matters of difference, both civil and criminal, between the people, as right and equity shall appear from evidence, that the people may have their rights protected, and justice administered in a summary way.

3d. That reasonable bounds be set to the trial of issues in all courts of equity; that no adjournment be allowed after the issue is joined, except by consent of parties, unless it shall appear on a fair showing in open court, on the merits of the case, that equity requires an adjournment, and that from and after six months from joining issue, either party may force the issue to trial by giving security for any subsequent damages that may be made to appear from his opponent's plea of not being ready.

4th. That measures be taken to secure to every individual the right of trial by jury, and also the benefit of a jury's decision, which can only be done by making a jury the supreme tribunal of all causes over which it may have jurisdiction, and that the qualification of jurymen be defined as to, sanity, temperance and morals, and when a jury is organized, they shall be judges of equity, law and evidence, and that a two-thirds majority shall be sufficient to render a verdict.

5th. That a justice's court shall have jurisdiction of all matters of difference between the people, civil and criminal, with but few exceptions; and in lieu of appeals, on a proper showing, let it be the duty of the court to grant a re-hearing, with the privilege of a jury from another town or county, as the case may in equity require.

6th. That all costs shall be paid by the parties as it shall seem equity may demand, in the trial of civil causes, and that the property of both parties shall be holden for the event of the cause, from the issuing of process, but that either party may release his property by giving ample security.

7th. That when trial has been had, and a judgment rendered according to law, it shall be evidence of a settlement of all civil demands, both trespass and trespass on the case, between the parties.

8th. That any person or persons, after having made a reasonable demand for a debt arising from service of common labor, shall be entitled to a reasonable compensation for all his time necessarily spent in prosecuting his claim.

9th. That each town be invested with corporeal powers to elect a vigilance committee for their protection against criminal offences of the higher order, as theft, robbery, murder, &c.

Without doubt, there are friends of these reforms in the House, otherwise the subject would not have been pressed upon the consideration of this House, and a special committee raised on it. But as it is not right to put a bantling to work among its enemies, we recommend the reference of the whole subject of Judicial Reform to a committee of the whole of its friends, and ask to be discharged from the further consideration thereof.

JAS. J. STRANG,
J. DIVINE,
ASA REYNOLDS,
GEORGE BROWN.

Both of which reports were accepted, the committee discharged, and the whole subject matter indefinitely postponed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ross gave notice that on some subsequent day, he would ask leave to introduce,

A bill for the issuing of a certain patent to John Blake, of Berrien county.

Mr. Parker, pursuant to previous notice, leave being granted, introduced,

A bill to prohibit the use of the common jails and other public buildings, in the several counties of this State, for the detention of persons claimed as fugitive slaves.

Which was read a first and second time, and referred to the committee on the Judiciary.

Mr. Wendell, pursuant to previous notice, leave being granted, introduced,

A bill for the construction of a road to the Straits of Mackinac, with branches.

Which bill was read a first and second time, and referred to the committee on State Affairs.

Mr. Church gave notice that on some subsequent day he would ask leave to introduce,

A bill to repeal an act entitled an act to provide for the sale and reclaiming of swamp lands granted to the State, and for the disposition of the proceeds, approved June 28, 1851.

Also, to introduce,

A bill to provide for securing pre-emption rights upon the swamp and overflowed lands granted to this State by the United States; also,

A bill to prevent the issue and sale of fraudulent stock in incorporated companies; also,

A bill authorizing David S. Waters to purchase the west-half of the south-west quarter of section 5, of town 6 north, of range 12 west, (Salt Spring lands,) at the appraised value of the same.

Mr. Moorman offered the following:

Resolved, That the committee on Militia be and they are hereby instructed to introduce a bill making it the duty of the Adjutant General or Quarter Master General of this State to refuse the delivering of public ordnance to any military corps which may be made up in part or in whole of foreign born citizens, and to require all arms, military stores, &c., now in use by any such company, to be forthwith returned to the State.

Mr. Parsons called for the yeas and nays, and the question being on the adoption of the resolution, the same was lost, as follows:

YEAS.

Mr. Cady,
Church,
Dunakin,
Eddy,
Edwards,
Enos,

Mr. Ives,
Lomison,
Luce,
Miller,
Moorman,

Mr. P. Power,
Ward,
White,
Whitmire,
Williams,

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NAYS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Chapel,
J. Divine,
R. K. Divine,
Dunakin,

Mr. Hixon,
Hurd,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lovell,
McIntyre,
Middlesworth,
D. N. Montague,

Mr. Parsona,
Pettit,
N. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Sherman,
Smith,
Strang,
Sutherland,

DuPuy,
Ewell,
Gilman,
Hathaway,

H. Montague,
Mussey,
Noble,

Tiffany,
Wendell,
Speaker,

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Mr. Edwards gave notice, that on some future day he would ask leave to introduce,

A bill to amend an act entitled "an act to incorporate the Detroit and Maumee Railroad Company."

Mr. Moorman submitted the following preamble and resolution:

Whereas, It has come to the knowledge of this House, that A. H. Stowell, of Detroit, has, on the pretence of an order for supplies from one of the members of the proper committee of this House, drawn and had charged to the State, some seventy or eighty dollars of stationery; therefore, be it

Resolved, That the Sergeant-at-Arms be immediately dispatched and ordered to arrest said Stowell and bring him to the bar of this House, for further examination.

Mr. Chapel moved to refer the same to the committee on the Judiciary for an immediate report.

Mr. Tiffany moved to amend by referring it to a select committee of three.

Which amendment was adopted, and the Speaker appointed Messrs. Beecher, White and Parsons, as said committee.

Mr. Beebe gave notice that on some future day he would ask leave to introduce,

A bill to amend an act entitled an act to amend chapter 172 of the revised statutes of 1846.

Mr. Ashmun, pursuant to previous notice, asked leave to introduce

A bill to authorize the county of Saginaw to issue its bonds to aid in the improvement of the navigation of Saginaw river.

Leave being granted, the bill was read a first and second time, and referred to a select committee composed of Messrs. Ashmun, Strang and Smith.

Mr. Whitmore introduced the following:

Resolved, That a committee of three be appointed by the chair, to confer with the Senate committee appointed to investigate the claim lately allowed by the Board of State Auditors in favor of the Phenix Bank.

Withdrawn.

Mr. Williams, pursuant to previous notice, asked leave to introduce,

A bill to amend sections 54, 74, 87 and 91, of chapter 50, title 11 of the revised statutes of 1846, relative to primary schools.

Leave being granted, the bill was read a first and second time, and referred to the committee on the Judiciary.

Mr. Lapham gave notice that he would ask leave, on some future day, to introduce,

A bill to detach from the township of Lyons, in Ionia county, so much of town 7 north, of range 6 west, as now belongs to Lyons, and annex the same to the township of Ionia.

Mr. Hixon gave notice that he would, on some future day, ask leave to introduce,

A bill for a general banking law.

Mr. Wendell, pursuant to previous notice, asked leave to introduce,

A bill to annex so much of range two east, as is now in Presque Isle county, to the county of Cheboygan.

Leave being granted, the bill was introduced, read a first and second time, and referred to the committee on Towns and Counties.

Mr. Strang gave notice that on some future day he would ask leave to introduce,

A bill to change the name of certain townships in Newaygo county.

Mr. Ashmun moved that all petitions praying for the passage of a law authorizing the county of Saginaw to issue bonds to aid in the improvement of the navigation of Saginaw River, be taken from the committee on Internal Improvements, and referred to the select committee on that subject.

Which motion prevailed.

Mr. McIntyre moved that the committee of the Whole be discharged from the consideration of House bill No. 39, entitled,

A bill for the relief of School Districts.

Carried.

THIRD READING OF BILLS.

House bill No. 33, being,

A bill for the relief of certain purchasers of Primary School lands,

Was then submitted for amendment, and after filling the blanks and otherwise amending the same, the House ordered the same to be put upon its immediate passage.

The bill having been read a third time, was then passed by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|-------------|
| Mr. Atwood, | Mr. Hurd, | Mr. Pettit, |
| Ashmun, | Ives, | N. Power, |
| Benday, | Judd, | P. Power, |
| Beecher, | King, | Ralph, |
| Brownell, | Kirkland, | Reynolds, |
| Cady, | Lapham, | Ross, |
| Church, | Littlejohn, | Sanborn, |
| J. Divine, | Lomison, | Shier, |
| R. K. Divine, | Lovell, | Smith, |
| Dunakin, | Luce, | Stout, |
| Duncan, | McIntyre, | Strang, |
| DuPuy, | Middlesworth, | Sutherland, |
| Eddy, | Miller, | Tiffany, |
| Edwards, | Mills, | Ward, |
| Essex, | H. Montague, | Wells, |
| Ewell, | Moorman, | Wendell, |
| Gilman, | Mussey, | White, |
| Hall, | Noble, | Whitmore, |
| Hathaway, | Parker, | Williams, |
| Hixon, | Parsons, | Speaker, |

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NAYS.

| | | |
|------------|-------------|--------------|
| Mr. Beebe, | Mr. Chapel, | Mr. Sherman, |
| Brown, | | |

4

No objection being made to the title, it was adopted, and the bill by a two-thirds vote, ordered to take immediate effect.

MESSAGES.

With the unanimous consent of the House, the Speaker announced the following:

SENATE CHAMBER,
Lansing, January 29, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives, Senate bill No. 19, being,

A bill to provide for the incorporation of Railroad Companies,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all said Senators, was ordered to go

into immediate effect, in which the concurrence of the House is respectfully asked.

Very respectfully,

L. W. WILDER,

Secretary of Senate.

Which message was laid on the table, and the bill made the special order of to-morrow, at 10 o'clock.

GENERAL ORDER.

The House having reached the general order, went into the committee of the Whole thereon,

Mr. Church in the Chair.

After spending some time, the committee rose, and through their chairman reported progress, and asked leave to sit again.

The report was accepted, and the committee granted leave to sit again, when,

On motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

Leave of absence was granted to Mr. Tompkins, for the day, and for Mr. St. Aubin for two days.

The committee of the Whole,

Mr. Church in the Chair,

Resumed the consideration of the

GENERAL ORDER.

And after spending some time thereon, rose, and through their chairman reported back to the House, House bill No. 35, being,

A bill to establish a house of correction for juvenile offenders; also,

A bill to amend the laws incorporating the city of Detroit, and the acts amendatory thereto,

With sundry amendments, in which they asked the concurrence of the House, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the amendments concurred in.

The first named bill was,

On motion of Mr. White,

Laid on the table.

Mr. Parsons moved to strike out section eight of the last named bill, on the ground of its unconstitutionality.

Which motion prevailed.

On motion,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Tuesday, January 30, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Donelson.

Roll called; a quorum present.

Absent, Mr. Wilbur, without leave.

The Speaker announced the following communication:

DETROIT, Jan. 25, 1855.

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—I have the honor to enclose, as supplementary to my report, already submitted, the following communication just received from the Chief Engineer of the St. Mary's Ship Canal.

I am respectfully,

Your obedient servant,

HENRY LEDYARD,

Sec'y of Board of Com'rs of St. Mary's Ship Canal,

Which communication was laid on the table, and the supplementary report ordered printed.

PETITIONS PRESENTED.

By Mr. McIntyre: of E. C. Seaman and others, citizens of Ann Arbor, asking for an amendment to the city charter.

Referred to the committee on the Judiciary.

By Mr. White: of Edward P. Hall and 12 others, citizens of Lapeer county, asking the organization of towns 9 and 10 north, of range 12 east, into a township.

Referred to the committee on Towns and Counties.

By Mr. Beecher: of L. Crane and 47 others, citizens of this State; also, of Ira Buck and 28 others; also, of D. K. Underwood and 98 others, praying for the endowment of an institution out of the proceeds of swamp lands, for the education of young women.

Severell referred to the committee on Education.

By Mr. Littlejohn: of certain inhabitants of the village of Otsego, in the county of Allegan, praying for the alteration of the side lines of a street in said village, and of a road connected therewith.

Referred to the committee on Roads and Bridges.

Mr. Church presented memorial of the Board of Education, containing a statement of the operation, condition and fiscal necessities of the Normal School, and asking an appropriation of money in aid thereof.

On motion of Mr. Church,

Referred to the committee on Education, with instructions to consider the same, and report by bill or otherwise to the House, providing for appropriations of such amounts of money and other measures necessary for the successful operation of said school, and that for the purpose of all proper examinations as to its present condition and recent administration, the said committee have power to send for persons and papers.

By Mr. Whitmore: petition of Talmon Brown and 58 others, praying for a general law, authorizing the formation of Mutual Fire Insurance Companies.

Referred to the committee on Banks and Incorporations.

By Mr. Lapham: petition of Melissa Palmer and 41 others, for relief for moneys paid on certain school lands.

Referred to the committee on Public Lands.

By Mr. Brown: of Hiram Lewis and 26 others, citizens of Barry county, praying for the establishment of an Agricultural College.

Referred to the committee on Agriculture and Manufactures.

REPORTS OF STANDING COMMITTEES.

Mr. White, from the committee on Towns and Counties, submitted the following:

The committee on Towns and Counties, to whom was referred,

A bill to annex certain sections to the township of Napoleon in Jackson county,

Beg leave to report, that your committee have had the same bill under consideration, and have instructed the chairman to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged.

The report was accepted, and the committee discharged.

Mr. Mills moved that the rules requiring engrossment, and also that requiring the second and third reading to be on different days, be suspended.

Which motion prevailed.

The bill was then ordered to a third reading.

Also, the following report:

The committee on Towns and Counties, to whom was referred,

A bill to incorporate the village of Jonesville, in Hillsdale county, beg leave to report, that your committee have had the same bill under consideration, and have instructed their chairman to report the same back to the House with a substitute therefor, which substitute your committee recommend the House to adopt, and that it do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the substitute adopted and laid on the table.

Also, the following report:

The committee on Towns and Counties, to whom was referred,

A bill to annex so much of range two east, as in Presque Isle county, to Cheboygan county,

Beg leave to report, that your committee have had the same bill under consideration, and have instructed their chairman to report the same bill back to the House with a substitute therefor, which substitute your committee recommend the House to adopt, and that it do pass, and the committee be discharged from the further consideration of the subject.

Report accepted and the committee discharged.

Substitute adopted, ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Enos, from the committee on Printing, submitted the following report:

The committee on Printing, to whom was referred the resolution of Jan. 25, instructing your committee to inquire whether the State Printer has the necessary facilities for the prompt execution of the printing of this House, and report the result to-morrow, beg leave to report:

That your committee received a copy of said resolution from the Clerk of the House on this 28th January, and they have visited and examined the office of the State Printer, that they find the establishment now in first-rate working order, well stocked with all the material necessary to a successful performance of the State printing contract; they have one of the best power presses, one hand press, any quantity of type, from 15 to 20 hands in their employ, working night and day, Sundays not excepted.

The contractor assures your committee that he will spare neither pains nor expense to meet the House demands for printing.

And your committee are of opinion, judging from their observation, that the business of the House will not be delayed through any failure to perform on the part of the contractor, unless some unforeseen accident should befall the establishment, such as heretofore occurred, occasioning the delay of which the House complains.

All of which is respectfully submitted, and your committee ask to be discharged from the further consideration of the subject.

Which report was accepted and the committee discharged.

Mr. Stout, chairman of the committee on Engrossment and Enrollment, made the following report:

The committee on Engrossment and Enrollment would respectfully report as correctly engrossed,

House bill No. 39, entitled,

A bill for the relief of School Districts.

Also, as correctly enrolled, signed, and presented on Monday to the Governor, for approval,

An act to extend the time for the collection of taxes in the township of Brookfield, in the county of Eaton, for the year 1854, and for legalizing the assessment roll for said township for the year aforesaid.

An act to organize the township of Greenland, and define the boundaries thereof, and other purposes.

An act to change the name of the township of Antrim, in the county of Grand Traverse.

An act to extend the time for the collection of taxes in the town and city of Ann Arbor, and county of Washtenaw.

An act to extend the time for the collection of taxes in the several townships of Emmet, Clyde, St. Clair and Port Huron, in the county of St. Clair.

An act to provide for the collection of taxes in the several townships in the county of Ontonagon for the year 1854, and to extend the time of collection thereof.

An act to extend the time for the collection and return of taxes in the townships of Muskegon, Wright and White River, in the county of Ottawa.

Mr. McIntyre reported as follows:

The committee on Banks and Incorporations, to whom was referred Senate bill No. 12, to incorporate the village of Albion, have, according to order, had the same under consideration, and instructed me, as their chairman, to report the same to the House, without amendment, and without recommendation, and to ask that the committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Mr. Beebe reported as follows:

The committee on Internal Improvements, to whom was referred Senate Joint Resolution relative to the St. Mary's River and the Flats in Lake St. Clair, of the State of Michigan, report that they have had the same under consideration, and have instructed me to report the same back, and recommend its passage, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the joint resolution referred to the committee of the Whole, and placed on the general order.

Mr. R. K. Divine reported as follows:

The committee on Roads and Bridges, to whom was referred Senate bill No. 87, which bill provides for laying out and establishing a State

road from the city of Grand Rapids to the township of Cannon, in Kent county, have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, and recommend that it pass, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill referred to the committee of the Whole, and placed on the general order.

Mr. Tiffany made the following report:

The committee on the Judiciary, to whom was referred the following bills, to wit:

A bill to prohibit the use of the common jails and other public buildings in the several counties of this State for the detention of persons claimed as fugitive slaves.

A bill to amend section 11 of an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849.

A bill to amend section 25 of an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849.

A bill to amend sections 54, 74, 87 and 91 of chapter 58, title 11 of the revised statutes of 1846, relative to Primary Schools.

Senate joint resolution for the relief of John C. Walker, a purchaser of Primary School Lands,

Have had the same under consideration, and have instructed me to report the same back to the House, without amendment, and do recommend the passage thereof.

Which report was accepted, the committee discharged, the first, second, third and fourth named bills ordered printed, referred to the committee of the Whole, and placed on the general order, and the Senate joint resolution No. 7, laid on the table.

Also, the following report:

The committee on the Judiciary, to whom was referred, at an early day of the present session, Senate bill to amend sections 7, 8 and 13 of chapter 148 of the revised statutes, have instructed me to report that the said bill was in some way mislaid, so that it could not hitherto be reported back to the House; that the same having been found and

considered, the committee, in view of its importance and the pressing exigency it is designed to provide for, recommend its immediate passage.

Report accepted, committee discharged, and,

On motion of Mr. Church,

The bill was ordered to be engrossed, and read a third time.

On motion of Mr. Church,

The engrossment of the bill was dispensed with, and it was read a third time and passed by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Chapel,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,
Gilman,
Gregory,

Mr. Hall,
Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Munsey,
Noble,

Mr. Parker,
Parsons,
Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Smith,
Stout,
Strang,
Sutherland,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

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NAYS.

0

On motion of Mr. Littlejohn,

The title was amended by adding to the end thereof the words "relative to jails."

On motion of Mr. Sanborn,

The bill was, by a two-thirds vote, ordered to take immediate effect.

The hour of ten having arrived, the House went into consideration of the

SPECIAL ORDER,

Being Senate bill No. 19, entitled,

A bill to provide for the incorporation of Railroad Companies.

The bill was being read a third time, when,
 On motion of Mr. Parsons,
 The further reading, in whole, was dispensed with.
 Mr. Beecher moved the previous question.
 The question being, "shall the main question be now put?"
 The same was lost by yeas and nays, as follows:

YEAS.

| | | | |
|---------------|--------------|-------------|----|
| Mr. Beebe, | Mr. Eddy, | Mr. Parker, | |
| Beecher, | Lapham, | Ralph, | |
| Brown, | Luce, | Sanborn, | |
| Cady, | McIntyre, | Shier, | |
| Chatfield, | Mills, | Tiffany, | |
| R. K. Divine, | H. Montague, | Ward, | |
| Dunakin, | Moorman, | White, | 21 |

NAYS.

| | | | |
|-------------|-----------------|---------------|----|
| Mr. Atwood, | Mr. Hurd, | Mr. N. Power, | |
| Barclay, | Ives, | P. Power, | |
| Chapel, | King, | Reynolds, | |
| J. Divine, | Kirkland, | Ross, | |
| Duncan, | Littlejohn, | Sherman, | |
| DuPuy, | Lomison, | Smith, | |
| Edwards, | Lovell, | Stout, | |
| Enos, | Middlesworth, | Strang, | |
| Ewell, | Miller, | Sutherland, | |
| Fitch, | D. N. Montague, | Wells, | |
| Gilman, | Mussey, | Wendell, | |
| Gregory, | Noble, | Whitmore, | |
| Hall, | Parsons, | Williams, | |
| Hathaway, | Pettit, | Speaker, | |
| Hixon, | | | 51 |

The bill was then read for amendments by sections; during which,
 Mr. Parsons moved to strike out "eight," in the 9th line of section

1.

Which motion was withdrawn by the mover,
 Renewed by Mr. Littlejohn, and
 Lost.

Mr. Wells moved to amend section 17 by striking out the words
 "join and unite," in line 23.

Lost.

Mr. Strang moved to amend the same section in line 17, by adding
 the letter "s," to the word "cutting," and a comma and the word "and,"
 after the "s."

Which motion was withdrawn.

Mr. Fitch moved to amend section 38, by striking out "\$100," and inserting the following: "and any company refusing or neglecting so to do, shall be liable to pay all damages sustained in consequence of such refusal or neglect, to be recovered in an action of debt against said company."

Lost.

Mr. Littlejohn moved to strike out all after and including the word "or," in the amendment of the Senate to section 39 of the printed bill.

Lost.

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

The House resumed the consideration of the bill to provide for the incorporation of Railroad Companies.

Mr. Parsons moved to insert immediately before the word "one," in second line of section 45, the words "three-fourths of."

Lost.

Mr. Littlejohn moved to insert between the words "other" and "taxes," in line 3, section 45, the word "State."

Lost.

Mr. Sherman moved to strike out of section 47 the word "seven," and insert "five."

Lost.

Mr. Littlejohn moved to strike out all of section 48, down to and including the word "place," in the fifth line.

Lost.

Mr. McIntyre moved to amend section 49, by inserting after the manuscript word "company," in 2d line, the following: "the right to aid such other company shall, however, not authorize any railroad company to subscribe for, or to own more than two-fifths of the said capital stock of such other company."

Which motion prevailed.

Mr. McIntyre moved to strike out of the 2d line of section 49, the words "or otherwise."

Carried.

Mr. Littlejohn moved to amend section 50, line 1, by striking out the words "in this State," and inserting the words "organized under this act."

Carried.

Mr. White moved to amend section 16 by adding at the end thereof, after the word "therein," the following, as a part of said section:

"And whenever a map so filed as aforesaid, defining the route of said railroad, and the said company shall have complied with the requirements of this act, and shall have acquired the right of way over the major part of their route, in each of the counties through which the line of road shall pass, and shall have entered upon the work of construction of the same, with a view to completion, thereafter it shall not be lawful for any other company, by virtue of this act, to lay out, establish and construct another railroad running parallel to and in the same course and direction for the distance of ten miles, nor within fifteen miles of the main line on either side of said railroad so established; but this provision shall not be construed as affecting the right of any company formed under this act, in running to and from towns or cities at either terminus of any such railroad, nor shall it be construed as affecting the right of any company to cross or connect with any other railroad, as provided by law; and this provision shall not be construed as affecting the right of any company to proceed under this act, in case the company so filing said map as aforesaid, shall suspend the work of construction of their road, for a period of six consecutive months."

Which motion did not prevail.

Mr. Littlejohn moved to amend section 61, by striking out so much as requires the rail to weigh 56 pounds to the lineal yard.

Pending which motion,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Wednesday, January 31, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

Absent, Messrs. St. Aubin and Wilbur.

PETITIONS PRESENTED.

By Mr. Mussey: of David Shook and 106 others, citizens of the village of Mt. Clemens, in the county of Macomb, praying for a repeal of the charter of the village of Mt. Clemens.

Also, of Daniel Alverson and 18 others, that town 7 north, range 13 east, in the county of St. Clair, be organized into a separate township, by the name of Northfield.

By Mr. Pettit: of John W. Paul and 14 others, citizens of Gratiot county, asking the organization of town 9 north, of range 3 west, into a township.

By Mr. Barclay: the remonstrance of Henry B. Hall and 88 others, tax payers of the township of Sheridan, against uniting the townships of Albion and Sheridan, in the county of Calhoun.

Which were severally referred to the committee on Towns and Counties.

By Mr. Wells: of Archy Campau, Joseph Vigar and 65 others; also, of G. W. Beebe, R. S. Hicks and 14 others; also, of A. D. Frazer and 56 others; also, of William Henderson and 15 others, for authority to Lewis Ives to maintain a bridge in Springwells.

Referred to the committee of the Whole.

By Mr. ———: of John S. Kimball and 57 others, praying for the organization of town 6 north, of range 16 east, into a separate township.

Referred to the committee on Towns and Counties.

By Mr. Sanborn: memorial of Gen. Benj. C. Cox, of St. Clair, Michigan, respecting the organization of the militia, and the deficiency of military spirit and enthusiasm in the State of Michigan.

Referred to the committee on the Militia.

By Mr. Stout: of G. W. Rogers and 56 others, praying for a general registration law.

Referred to the committee on Towns and Counties.

By Mr. Wendell: of Wm. H. Malby, Bela Chapman, and others, inhabitants of Cheboygan county, praying that the State swamp lands may be thrown into market.

Referred to the committee on Public Lands.

Also, of Isaac Blanchard and others, inhabitants of Gros Cap, praying to be attached to the township of St. Ignace.

Referred to the committee on Towns and Counties.

REPORTS OF STANDING COMMITTEES.

Mr. Sanborn, from the committee on Public Lands, made the following report:

The committee on Public Lands, to whom was referred Senate bill No. 16, to authorize the Auditor General to issue a land warrant to Luke H. Parsons, have examined into the circumstances of the same, and report the same back to the House and recommend its passage, and ask to be discharged from further consideration of the subject.

Report accepted, committee discharged, and the bill referred to the committee of the Whole, and placed on the general order.

Mr. Tiffany, from the committee on the Judiciary, made the following report:

The committee on the Judiciary, to whom was referred,

A bill to provide for the refunding of certain taxes by the city of Detroit,

Have considered the same, and have instructed me to report a substitute therefor, in which they ask the concurrence of the House, and recommend the passage thereof, and ask to be discharged, &c.

Report accepted, committee discharged, and the substitute adopted, ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on the Judiciary, to whom was referred the petition of Wm. R. Morgan and many others, asking that the county of Mecosta be attached to the county of Newaygo, and that some legal provision be made relative to the record of conveyances of real estate situated in the said county of Mecosta, heretofore made in the said county of Newaygo, have considered the same, and have instructed me to report the

accompanying bill, of which they recommend the passage, and ask to be discharged, &c.

Report accepted, committee discharged, and the bill read a first and second time, and referred to the committee of the Whole, without printing.

Mr. Beecher, from the special committee on Asylums, reported,

A bill for Michigan Asylums,

And asked its passage.

Which report was accepted, the committee discharged, and the bill laid on the table.

Mr. N. Power, chairman of the committee on Agriculture and Manufactures, reported to the House the reception, by them, of an invoice of garden seeds from the Patent Office, through Senator Cass, which they had distributed to the members of the House of Representatives.

Which report and seeds were accepted.

REPORTS OF SELECT COMMITTEES.

Mr. Beecher, from special committee, made the following report:

The special committee, to whom was referred the resolution in relation to the procurement of stationery at the expense of this State, by A. H. Stowell of the city of Detroit, of S. D. Elwood, have had the same under consideration, and have instructed their chairman respectfully to report:

That it has been made to appear to your committee, that said Stowell has procured of said Elwood, stationery to the amount of forty dollars without the consent or authority of the committee on Supplies and Expenditures of this House, and had the same charged to the State.

And your committee has been further informed that said account for stationery so procured as aforesaid, has been arranged by certain persons for said Stowell, and is not now a standing account against this State, and that said Elwood makes no charge of said account or any part thereof, against this State.

Your committee therefore recommend that no further proceedings be had by this House in relation to said account or said Stowell, and that

your committee be discharged from the further consideration of the subject.

Which report was accepted, and laid on the table.

Mr. Chapel moved to re-consider the vote to lay on the table.

Which motion was withdrawn.

Mr. Moorman, with the unanimous consent of the House, offered the following resolution :

Resolved, That the committee to whom was referred the resolution on the subject of stationery delivered to A. H. Stowell, be directed to enquire and report to this House whether the stationery referred to was delivered in whole or in part to any other person than Mr. Stowell, and by whom the same was paid for.

Mr. Sherman moved to amend the resolution by adding thereto the following: "What articles were delivered, and by what authority, and who were present at the delivery."

Mr. Moorman accepted the amendment.

Mr. Parsons moved to lay the whole subject on the table.

Which motion prevailed.

Mr. Ashmun, from the select committee to whom was referred,

A bill to authorize the county of Saginaw to issue its bonds to aid in the improvement of the navigation of Saginaw River,

Reported the same back to the House, and recommended its passage.

Report accepted, committee discharged, and the bill laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following from the Governor:

EXECUTIVE OFFICE,
Lansing, January 30, 1855. }

To the Speaker of the House of Representatives:

I have this day approved and filed in the office of the Secretary of State,

An act to provide for the collection of taxes in the several townships in the county of Ontonagon, for the year one thousand eight hundred and fifty-four, and to extend the time of collection thereof; and also,

An act to organize the township of Greenland, and define the boundaries thereof, and other purposes; and also,

An act to extend the time for the collection of taxes in the township of Brookfield, for the county of Eaton, and to legalize the assessment roll for said township for the year one thousand eight hundred and fifty-four; and also,

An act to change the name of the township of Antrim, in the county of Grand Traverse.

KINSLEY S. BINGHAM.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 30, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

Senate bill 18, being,

A bill to confer certain powers upon Mining Companies; also,

A bill to incorporate the village of Almont.

Senate bill 45, being a bill to authorize the formation of Gas Light Companies.

Senate bill 20, a bill to oblige the owners or occupiers of mills or other water works, to keep bridges over their races crossing public highways.

Senate bill 26, a bill to amend sections nine and ten of chapter 65 of the revised statutes of 1846; also,

A bill to extend the time for the collection of certain taxes for the year eighteen hundred and fifty-four, in the city of Detroit.

All of which bills the Senate have passed by a majority vote of all the Senators elect, and the last named ordered to take immediate effect by a vote of two-thirds of all said Senators, in which the concurrence of the House is respectfully asked.

I also return House bill 6, being

A bill to provide for the appointment of Circuit Court Commissioners in cases of vacancy; also,

House bill 33, being,

A bill for the relief of certain purchasers of Primary School Lands.

In both of which the Senate have concurred by a majority vote of all the Senators elect, and by a two-thirds vote of all said Senators, ordered the same to go into immediate effect; also,

House resolution No. 2, being,

Joint resolution relative to United States Military Reservations in the State of Michigan; also,

A bill to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage.

In both of which the Senate have concurred by a majority vote of all Senators elect.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which message was laid on the table, and the first named bill referred to the committee on Minerals; the second and third to the committee on Banks and Incorporations; the fourth to the committee on Roads and Bridges; the fifth to the committee on the Judiciary; the sixth to the committee on Towns and Counties; and the several House bills and joint resolution, in which the Senate had concurred, were ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White gave notice that he would ask leave, on some future day, to introduce,

A bill to organize the town of Allison, in Lapeer county.

Pursuant to notice, Mr. Church asked leave to introduce,

A bill to provide for the repeal of certain sections of the act entitled an act to provide for the sale and reclaiming of swamp lands granted to this State, and the disposition of the proceeds; also,

A bill securing pre-emption rights upon the swamp lands granted to this State by the United States; also,

A bill to prevent the issue and sale of fraudulent stock by incorporated companies.

Leave being granted, the several bills were introduced, read a first and second time, the two first referred to the committee on Public Lands, and the last to the committee on Banks and Incorporations.

Mr. Barclay, in pursuance of previous notice, asked and obtained leave to introduce,

A bill to organize the township of Pigeon River, in the county of Huron.

Which bill was read a first and second time, and referred to the committee on Towns and Counties.

Mr. Hall, pursuant to notice heretofore given, asked leave to introduce,

A bill to authorize attorneys to take proofs and acknowledgments of deeds and other instruments in writing.

Leave granted, and the bill read a first and second time, and referred to the committee on the Judiciary.

Mr. Edwards, in pursuance of previous notice, asked leave to introduce,

A bill to amend an act entitled an act to incorporate the Detroit and Maumee Railroad Company.

Leave being granted, the bill was read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. Gregory asked leave to introduce,

A joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing.

Leave was granted, and the joint resolution read a first and second time, when,

On motion of Mr. Gregory,

The rules were suspended, and the joint resolution ordered to a third reading.

Mr. Parker, pursuant to previous notice, asked and obtained leave to introduce,

A bill to amend chapter 58, title 11 of the revised statutes of 1846, relative to the power of School Districts in furnishing fuel for Schools.

The bill was read a first and second time, and referred to the committee on the Judiciary.

On motion of Mr. Whitmore, it was

Resolved, That the select committee of this House, to whom was referred the report of the Board of State Auditors, be directed to inquire

and report to this House, what claims, if any, were allowed by said Board during the year 1854, and not referred to in their report, and under what provisions of law, if any, such claims were allowed, and the evidence in relation to the same.

Mr. Ross, pursuant to notice, asked leave to introduce,

A bill to provide for the issuing a certain patent to John Blake, of Berrien county.

Leave was granted, and the bill read a first and second time, and referred to the committee on Public Lands.

On motion of Mr. McIntyre,

The Clerk was directed to cause the Female College bill to be printed immediately.

Mr. Lapham asked leave, according to previous notice, to introduce,

A bill to annex a part of the township of Lyons to the township of Ionia, in Ionia county.

Leave was granted, and the bill read a first and second time, when, Mr. Wells being called to the chair,

Mr. C. Lovell moved that the rules requiring engrossment and the second and third reading to be on different days, be suspended.

Which motion, by a two-thirds vote, prevailed.

The Speaker then resumed the chair, and the bill was ordered to a third reading.

Mr. Ashmun, pursuant to previous notice, asked and obtained leave to introduce,

A bill to attach the counties of Isabella and Gladwin to the county of Midland, for judicial and municipal purposes.

The bill was read a first and second time, and

Referred to the committee on Towns and Counties.

Mr. DuPuy, pursuant to notice, asked and obtained leave to introduce,

A bill to amend section 39 of act No. 156, of session of 1851, and section 36 of act No. 86, of session of 1853, regulating the compensation of supervisors in certain cases.

Which bill was read a first and second time, and

Referred to the committee on the Judiciary.

Mr. Ashmun gave notice that to-morrow, or some other day, he would ask leave to introduce,

A bill to provide for the disposition of the Swamp Lands in the counties of Midland and Saginaw.

Mr. Ives gave notice that on to-morrow or some future day, he would ask leave to introduce,

A bill to prevent grants or devises to ecclesiastical officers from vesting in their successors.

Mr. Moorman offered the following resolution:

Resolved, That the Commissioner of the Land Office is requested to report to this House the number of acres of swamp land sold in each county, by counties, the names of the purchasers, the number of acres sold to each person, and the price per acre at which said lands were sold, in tabular form.

Adopted.

Mr. Chatfield gave notice that he would, on to-morrow, ask leave to introduce,

A bill to amend section 1 of act No. 252 of the session laws of 1850.

Mr. Atwood asked and obtained leave to introduce,

A bill to amend sections 8, 9, 10 and 11 of chapter 25, of title 6 of the revised statutes of 1846.

Bill read a first and second time, and referred to the committee on Roads and Bridges.

Mr. Gregory, previous notice having been given, asked leave to introduce,

A joint resolution relative to an exchange of lots with the First Baptist Church and Society of Lansing.

Leave was granted, and the resolution read a first and second time, when,

On motion of Mr. Gregory,

The rules were suspended, and the resolution ordered to be read a third time.

Pursuant to previous notice, Mr. Strang asked leave to introduce,

A bill to change the name of the township of Newaygo.

Leave was granted, and the bill read a first and second time, and referred to the committee of the Whole, and placed on the general order.

Mr. Gregory, in pursuance of previous notice, asked leave to introduce,

A bill to prescribe the form of a deed of real estate.

Leave being granted, the bill was read a first and second time, and referred to the committee on the Judiciary.

Mr. Church moved to take from the table the report and resolutions of the Board of Supervisors of the county of Kent, relative to certain expenses incurred by said county, in the detention and maintenance of State witnesses, and the joint resolution relative to the same subject, and to refer them to the Judiciary committee.

Which motion prevailed.

Mr. Wendell offered the following resolution:

Resolved, That the bill for the repeal of the organization of Emmet county be taken from the general order and made the special order for Thursday next.

Laid on the table.

Mr. Ashmun gave notice that on some future day he would ask leave to introduce,

Joint resolutions instructing our Senators and Representatives in Congress, relative to the naturalization laws.

Mr. Church moved to rescind the vote by which, on the 24th of January present, a resolution was adopted, calling for certain information from the State Land Office, relative to swamp lands.

Carried.

THIRD READING OF BILLS.

Joint resolution relative to an exchange of lots with the First Baptist Church and Society of Lansing,

Was read a third time, and the yeas and nays were taken, with the following result:

YEAS.

Mr. Ashmun,
Barclay,
Beebe.

Mr. Gilman,
Gregory,
Hall,

Mr. H. Montague,
Moorman,
Mussey,

| | | |
|---------------|-----------------|-------------|
| Beecher, | Hathaway, | Noble, |
| Brown, | Hixon, | Parker, |
| Brownell, | Hurd, | Pettit, |
| Cady, | Ives, | N. Power, |
| Chamberlain, | Judd, | P. Power, |
| Chatfield, | Kirkland, | Reynolds, |
| Church, | Lapham, | Ross, |
| J. Divine, | Lomison, | Shier, |
| R. K. Divine, | Lovell, | Stout, |
| Dunakin, | Luce, | Strang, |
| Duncan, | McIntyre, | Sutherland, |
| DuPuy, | Middlesworth, | Tompkins, |
| Edwards, | Miller, | Ward, |
| Enos, | Mills, | Whitmore, |
| Fitch, | D. N. Montague, | Williams, |

54

NAYS.

| | | |
|-------------|--------------|--------------|
| Mr. Chapel, | Mr. Parsons, | Mr. Tiffany, |
| Eddy, | Sanborn, | Wendell, |
| Ewell, | Sherman, | White, |
| King, | Smith, | Speaker, |
| Littlejohn, | | |

11

Mr. White moved to re consider the last vote.

Which motion prevailed.

Mr. Fitch moved to re-commit the resolution with the one also ordered to a third reading, relative to an exchange of lots with the First Presbyterian Society of Lansing, to the committee on the Judiciary, with instructions to amend in a certain particular.

Carried.

A bill for the relief of School Districts.

Was read a third time, when,

Mr. McIntyre moved to refer the bill to the committee on Education, with instructions to amend the same by inserting after the word "judgment," in the 2d line of the 9th section, the following: "or the sum ascertained and determined by the jury, as the just compensation to be paid by such District for such site," and to report forthwith thereon.

Carried.

With the unanimous consent of the House, Mr. McIntyre, from the committee on Education, reported as follows:

The committee on Education, to whom was referred,

A bill for the relief of School Districts,

With instructions to amend the same, have, according to order, had the same under consideration, and instructed me, as their chairman, to report the same back to the House, with the amendments as instructed, and ask to be discharged from the further consideration of the subject.

Which report was accepted, the committee discharged, and the bill as amended, passed by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Hall, | Mr. Parsons, |
| Ashmun, | Hathaway, | Pettit, |
| Barclay, | Hixon, | N. Power, |
| Beebe, | Ives, | Ralph, |
| Beecher, | Judd, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Cady, | Littlejohn, | Sanborn, |
| Chamberlin, | Lomison, | Shier, |
| Chapel, | Lovell, | Smith, |
| Chatfield, | Luce, | Stout, |
| Church, | McIntyre, | Strang, |
| J. Divine, | Middlesworth, | Sutherland, |
| R. K. Divine, | Miller, | Tiffany, |
| Dunakin, | Mills, | Tompkins, |
| Duncan, | D. N. Montague, | Wells, |
| DuPuy, | H. Montague, | Wendell, |
| Edwards, | Moorman, | White, |
| Enos, | Mussey, | Whitmore, |
| Ewell, | Noble, | Williams, |
| Fitch, | Parker, | Speaker, |
| Gregory, | | 61 |

NAYS.

| | | |
|-----------|-----------|---|
| Mr. King, | Mr. Ward, | 2 |
|-----------|-----------|---|

On motion of Mr. McIntyre,

The bill was ordered to take immediate effect, by a vote of two-thirds of the members elect.

A bill to annex a part of the township of Lyons to the township of Ionia, in Ionia county,

Was read a third time, and passed by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------|-------------|
| Mr. Atwood, | Mr. Hall, | Mr. Parker, |
| Ashmun, | Hathaway, | Parsons, |
| Barclay, | Hixon, | Pettit, |
| Beebe, | Hurd, | N. Power, |

| | | |
|---------------|-----------------|-------------|
| Beecher, | Judd, | P. Power, |
| Brown, | King, | Ralph, |
| Brownell, | Kirkland, | Reynolds, |
| Cady, | Lapham, | Ross, |
| Chamberlin, | Littlejohn, | Sanborn, |
| Chapel, | Lomison, | Smith, |
| Chatfield, | Lovell, | Stout, |
| J. Divine, | Luce, | Strang, |
| R. K. Divine, | McIntyre, | Sutherland, |
| Duncan, | Middlesworth, | Tiffany, |
| DuPuy, | Miller, | Tompkins, |
| Edwards, | Mills, | Ward, |
| Enos, | D. N. Montague, | Wells, |
| Ewell, | H. Montague, | Wendell, |
| Fitch, | Moorman, | White, |
| Gilman, | Mussey, | Williams, |
| Gregory, | Noble, | Speaker, |

63

NAYS.

0

On motion of Mr. R. K. Divine,

The bill was ordered to take immediate effect.

A bill to annex certain sections to the township of Napoleon, in the county of Jackson,

Was read a third time, and passed as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Hall, | Mr. Parsons, |
| Ashmun, | Hathaway, | Pettit, |
| Barclay, | Hixon, | N. Power, |
| Beebe, | Hurd, | P. Power, |
| Beecher, | Ives, | Ralph, |
| Brown, | Judd, | Reynolds, |
| Brownell, | King, | Ross, |
| Cady, | Kirkland, | Sanborn, |
| Chamberlin, | Lapham, | Sherman, |
| Chapel, | Littlejohn, | Shier, |
| Chatfield, | Lomison, | Smith, |
| J. Divine, | Lovell, | Stout, |
| R. K. Divine, | Luce, | Strang, |
| Dunakin, | McIntyre, | Sutherland, |
| Duncan, | Middlesworth, | Tiffany, |
| DuPuy, | Miller, | Tompkins, |
| Eddy, | Mills, | Ward, |
| Edwards, | D. N. Montague, | Wells, |
| Enos, | H. Montague, | Wendell, |
| Ewell, | Moorman, | White, |
| Fitch, | Mussey, | Whitmore, |
| Gilman, | Noble, | Williams, |
| Gregory, | Parker, | Speaker, |

69

NAYS.

0

On motion of Mr. Mills,

The bill was ordered to take immediate effect.

UNFINISHED BUSINESS.

The House went into consideration of

A bill to provide for the incorporation of Railroad Companies,

The same being the unfinished business of yesterday.

Mr. McIntyre moved, as a substitute for the pending motion, to amend section 61 by inserting at the end of said section, the following proviso:

"*Provided*, That the provisions of this section shall not apply to railroads to be constructed under the provisions of this act in the Upper Peninsula, or in that portion of the Lower Peninsula which lies north of the base line, and west of the principal meridian for this State."

The original motion and the substitute were both withdrawn by the movers.

Mr. Littlejohn moved to strike out section 61.

Which motion prevailed, by the following vote:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Brown,
Chamberlin,
Chapel,
Chatfield,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Enos,
Ewell,
Fitch,
Gilman,
Hall,

Mr. Hathaway,
Hixon,
Hurd,
Ives,
Kirkland,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Middlesworth,
D. N. Montague,
H. Montague,
Moorman,
Munsey,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Reynolds,
Ross,
Sanborn,
Sherman,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Ward,
Wendell,
White,
Whitmore,
Williams,
Speaker,

53

NAYS.

Mr. Beecher,
Brownell,
Cady,
Church,

Mr. Gregory,
Judd,
King,
Lapham,

Mr. Mills,
Ralph,
Shier,
Tompkins,

Eddy,
Edwards,

Luce,
Miller,

Wells,

17

Mr. Littlejohn moved to amend by inserting between the words "constructed" and "the," in ninth line of section 1, the following: "of the T or continuous rail, and not less than four thousand dollars per mile, of road constructed or proposed to be constructed with the flat bar rail: *Provided*, That no car shall be run at a higher rate of speed than fifteen miles per hour upon any road so constructed with the flat bar rail."

Pending which motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

A bill to provide for the incorporation of Railroad Companies, being under consideration,

The pending motion of Mr. Littlejohn prevailed.

Mr. Ralph moved to reconsider the vote by which section 50 was amended in first line.

Which motion prevailed.

The question recurring on the amendment, the same was lost.

Mr. Littlejohn moved to strike out the amendment to the printed bill made in the Senate, as the first sub-division of section 50, and insert the following as a substitute therefor:

"Any Railroad Company in this State forming a continuous or connected line with any other Railroad Company, may consolidate with such other Company, either in or out of this State, into a single corporation: *Provided*, That no such Companies having parallel line or lines, diverging and converging, but being conterminous, shall be permitted to consolidate themselves into one corporation."

Adopted.

Mr. Ralph moved to reconsider the vote by which section 49 was amended in second line.

Carried.

The question recurring upon the amendment, the same was lost.

The bill was then read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,
Gilman,
Gregory,

Mr. Hall,
Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,

Mr. Parsons,
Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

69

NAYS.

Mr. Chamberlin,

1

Mr. Parsons moved that the bill take immediate effect.

Carried, by a two-thirds vote.

Mr. Stout moved to suspend the order of business, and take from the table,

A bill to amend the charter of the Port Huron Railroad Company.

Which motion prevailed,

The bill was then read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,

Mr. Hall,
Hathaway,
Hurd,
Judd,
Kirkland,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Ross,

Brown,
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Enos,
Ewell,
Fitch,
Gilman,
Gregory,

Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Sanborn,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

65

NAYS.

Mr. Brownell,

Mr. Hixon,

Mr. King,

3

On motion of Mr. Fitch,

The bill was ordered to take immediate effect.

Mr. White moved that the order of business be suspended, and that the House take up the special order.

Which motion prevailed.

Mr. Church moved to reconsider the last vote.

Carried.

A bill to amend the laws incorporating the city of Detroit, and the acts amendatory thereto,

Being the unfinished business of a previous day, was then taken up, and;

On motion of Mr. Church,

Amended by striking out of the second line of section six, the words "if any," and inserting the word "no."

The bill was then ordered engrossed for a third reading.

On motion of Mr. Wells,

The rule requiring engrossment was suspended, and the bill was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Beebe,
Beecher,

Mr. Hathaway,
Judd,
Kirkland,

Mr. N. Power,
P. Power,
Ralph,

| | | |
|---------------|---------------|-------------|
| Brown, | Lapham, | Ross, |
| Brownell, | Lomison, | Sanborn, |
| Cady, | Lovell, | Shier, |
| Chamberlain, | Luce, | Stout, |
| Chapel, | McIntyre, | Sutherland, |
| Church, | Middlesworth, | Tiffany, |
| J. Divine, | Mills, | Tompkins, |
| R. K. Divine, | H. Montague, | Ward, |
| Dunakin, | Moorman, | Wells, |
| Duncan, | Mussey, | Wendell, |
| DuPuy, | Noble, | White, |
| Eddy, | Parker, | Whitmire, |
| Ence, | Parsons, | Williams, |
| Gregory, | Pettit, | Speaker, 51 |

NAYS.

| | | |
|-------------|-------------|---------------------|
| Mr. Ashmun, | Mr. Gilman, | Mr. D. N. Montague, |
| Barclay, | Hixon, | Reynolds, |
| Chatfield, | King, | Sherman, |
| Ewell, | Littlejohn, | Smith, |
| Fitch, | Miller, | Strang, 15 |

On motion of Mr. Wells,

The bill was ordered, by a two-thirds vote, to take immediate effect.

On motion,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing. Wednesday, February 1, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Kinckerbacker.

Roll called; a quorum present.

Absent, Mr. Wilbur.

PETITIONS PRESENTED.

By Mr. Lomison: of J. C. Morse, H. H. Cole and 52 others, for a law to prevent frauds at elections.

Referred to the committee on Elections.

By Mr. Kirkland: of Seba Murphy and 180 others, citizens of Monroe county, praying for a tax on the inhabitants of the State liable to do military duty.

Referred to the committee on the Militia.

By Mr. Beecher: of H. L. Harned and 51 others, mechanics of Lena-
wee county, praying that the constitutional provision, "no mechanical
trade shall be taught to the convicts of this State," be enforced by a law
enacted for such purpose.

Referred to the committee on the Judiciary.

By Mr. P. Power: of Mary Lavender and others, for a Female Col-
lege.

Referred to the committee on Education.

REPORTS OF STANDING COMMITTEES.

Mr. White made the following report :

The committee on Towns and Counties, to whom was referred,

A bill to amend section 4 of an act to authorize the county of Saginaw
to loan its bonds to aid in the construction of a plank road, approved
Feb. 14, 1853,

Beg leave to report, that your committee have had the subject of the
bill under consideration, and have instructed their chairman to report the
same back to the House without amendment, and ask to be discharged
from the further consideration of the subject.

Which report was accepted, committee discharged, and the bill laid
on the table.

Also, the following report:

The committee on Towns and Counties, to whom was referred the peti-
tion of John S. Kimball and 57 others, citizens of St. Clair county, ask-
ing to be organized into a township, beg leave to report, that your com-
mittee have had the subject of the petition under consideration, and in-
structed their chairman to report a bill to the House in accordance with
the prayer of the petitioners, and recommend that it do pass, and your
committee be discharged, &c.

Report accepted, committee discharged, and the bill read a first and
second time, ordered printed, referred to the committee of the Whole,
and placed on the general order.

Also, the following:

The committee on Towns and Counties, to whom was referred the
petition of Daniel Alverson and 18 others, citizens of St. Clair county,
asking to be organized into a township, beg leave to report that your
committee have had the subject of the petition under consideration, and

have instructed their chairman to report a bill to the House in accordance with the prayer of said petitioners, and recommend that it do pass, and your committee be discharged from further consideration of the subject.

Report accepted, committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on Towns and Counties, to whom was referred,

A bill to attach the counties of Isabella and Gladwin to the county of Midland, for judicial and municipal purposes,

Beg leave to report, that they have had the subject of the bill under consideration, and have instructed their chairman to report the same back to the House without amendment, and recommend that it do pass, and your committee be discharged.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on Towns and Counties, to whom was referred,

A bill to organize the township of Pigeon River,

Beg leave to report that they have had the subject under consideration, and have instructed their chairman to report the same bill back to the House without amendment, and recommend that it do pass, and the committee be discharged.

Report accepted, committee discharged, the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on Towns and Counties, to whom was referred Senate bill to extend the time for collecting of taxes in the city of Detroit, beg leave to report that your committee have had the same bill under consideration, and have instructed the chairman to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, the bill read a first and second time, and,

On motion of Mr. White,

The rules were suspended, and the bill ordered to be read a third time.

Mr. Beecher made the following report:

The committee on Ways and Means, to whom was referred a joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for the year 1854, have had the same under consideration, and have instructed their chairman to respectfully report, that they recommend the same back to this House without amendment, and ask that it do pass, and that your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and,

On motion of Mr. Beecher,

The rules were suspended, and the resolution ordered to a third reading.

Mr. Wendell offered the following report:

The committee on Towns and Counties, after due consideration, have unanimously instructed me to report the following bills, to organize certain territory in the northern portion of the Lower Peninsula, and certain groups of islands in Lake Michigan, viz:

1st. A bill to organize the county of Emmet with four townships therein, Little Traverse, Le Croy, Old Fort Mackinac and Burt.

2d. A bill to define the county of Charlevoix, and to organize two townships therein, Charlevoix and Bear Creek.

3d. A bill to organize the county of Beaver Island, with four townships therein, Peaine, Galilee, Fox and Manitue.

Which bills your committee unanimously recommend the House to adopt, and that they do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the several bills read a first and second time, and laid on the table.

Mr. White made the following report:

The committee on Towns and Counties, to whom was referred the petition of David Shook and 106 others, citizens of Mt. Clemens, asking the repeal of an act incorporating the village of Mt. Clemens, approved

April 4, 1851, beg leave to report that your committee have had the subject under consideration, and have instructed their chairman to report a bill to the House in accordance with the prayer of said petition, and recommend that it do pass, and your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill read a first and second time, referred to the committee of the Whole, and placed on the general order.

Mr. Sanborn made the following report:

The committee on Public Lands have had under consideration, a bill providing for the issuing of a certain patent to John Blake, and through their chairman report the same back without amendment, and recommend its passage, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the bill laid on the table.

Also, the following:

The committee on Public Lands have had under consideration, a bill for the appropriation of certain internal improvement lands, situated in the county of Tuscola, to aid in the construction of a road from Westonsville, in Tuscola county, to Lower Saginaw, in Saginaw county, and have instructed their chairman to report the same back without amendment, and recommend its passage, and ask to be discharged from the further consideration of the same.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on Public Lands, to whom was referred,

A bill to provide for securing pre-emption rights and the rights of actual purchasers from the United States, of swamp lands,

Have had the same under consideration, and have instructed me to report the same back with a recommendation that it pass.

Report accepted, committee discharged, and the bill laid on the table.

Mr. R. E. Divine made the following report:

The committee on Roads and Bridges, to whom was referred,

A bill to amend sections 8, 9, 10 and 11 of chapter 25, title 6 of the revised statutes of 1846,

Have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, and recommend the passage of the same, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, the bill ordered printed, referred to the committee of the Whole, and placed on the general order.

Also, the following report:

The committee on Roads and Bridges, to whom was referred Senate bill No. 20, being,

A bill to oblige the owners or occupiers of mills or other water works, to keep bridges over their races crossing public highways,

Have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, recommend that it pass, and ask to be discharged from further consideration of the subject.

Report accepted, committee discharged, and the bill referred to the committee of the Whole, and placed on the general order.

Mr. Sherman made the following report:

The committee on Mines and Minerals, to whom was referred Senate bill No. 18, to confer certain powers upon mining companies, have had the same under consideration, and report the same back to the House, and recommend that it do pass, and ask to be discharged from the further consideration of the bill.

Report accepted, committee discharged, and the bill referred to the committee of the Whole, and placed on the general order.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 31, 1855. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to the House of Representatives, Senate bill No. 28, being,

A bill to provide for the formation of companies for running, driving, booming and rafting logs, timber and lumber, and for regulating the floatage thereof,

Which the Senate have passed by a majority vote of all the Senators elect, and by a two-thirds vote of said Senators, have ordered the same to take immediate effect.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Which message was laid on the table, the bill read a first and second time, and the rules being suspended,

On motion of Mr. Sanborn,

Ordered to a third reading.

Also, the following message:

SENATE CHAMBER,
Lansing, January 31, 1855. }

To the Speaker of the House of Rep's:

Sir—I am instructed by the Senate to transmit to the House of Representatives, Senate bill 29, being,

A bill to revise an act entitled an act to provide for the removal of the State Land Office to the seat of Government, approved March 31, 1849.

Senate bill No. 10, being,

A bill in relation to Insurance Companies and Insurance Agents.

Senate bill No. 46, being,

A bill to authorize the consolidation of the Detroit and Pontiac and Oakland and Ottawa Railroad Companies, so as to form a continuous line from Detroit to Lake Michigan, under the name of the Detroit and Milwaukee Railway Company; also,

A bill to amend sections 22 and 23 of chapter 171 of the revised statutes of 1846; also,

A bill to amend section 58 of an act entitled an act to incorporate the city of Grand Rapids, approved April 2, 1850; also,

A bill to amend an act entitled an act to incorporate the Southern Michigan Telegraph Company, approved April 2, 1850.

All of which bills the Senate have passed by a majority vote of all the Senators elect, and the last named ordered to take immediate effect

by a vote of two-thirds of all said Senators, in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which message was laid on the table, the several bills read a first and second time, the two first named referred to the committee on the Judiciary, the third named bill (the rules being suspended, on motion of Mr. Wells,) ordered to be read a third time; the fourth named bill referred to the committee on the Judiciary, the fifth (the rules being suspended, on motion of Mr. Church,) ordered to a third reading, and the sixth (the rules being suspended on motion of Mr. Tompkins,) ordered to be read a third time.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. H. Montague gave notice that on some future day he would ask leave to bring in,

A bill to amend an act entitled an act to incorporate the village of Kalamazoo.

Mr. Ashmun gave notice that on some future day he would ask leave to introduce,

A bill to amend the charter of the Saginaw and Genesee Plank Road Company.

Mr. Chatfield, in pursuance of previous notice, asked and obtained leave to introduce,

A bill to amend section 1 of act No. 252, of the session laws of 1850.

The bill was read a first and second time, and laid on the table.

Mr. Fitch asked and obtained leave to introduce,

A bill making appropriation for the purchase of a fire engine for the protection of the State property at the Capital.

The bill was read a first and second time, and referred to the committee on Ways and Means.

Mr. Littlejohn moved that the petition referring to the purchase of a fire engine for the protection of the State Buildings, be taken from the committee on State Affairs, and referred to the committee on Ways and Means.

Carried.

On motion of Mr. White,

The petition of G. W. Rogers and 56 others, praying for a general registration law,

Was referred to the committee on Elections.

On motion of Mr. Church,

House bill No. 43 was taken from the committee of the Whole and laid on the table.

On motion of Mr. McIntyre,

House bill No. 65 was taken from the committee of the Whole and laid on the table.

On motion of Mr. Littlejohn,

House resolution No. 8 was taken from the committee of the Whole and laid on the table.

On motion of Mr. Williams,

House bill No. 49 was taken from the committee of the Whole and laid on the table.

Mr. Chapel gave notice that he would, on some future day, ask leave to introduce,

A joint resolution requiring the Commissioners of the Saut Ste Marie Canal to re-construct the Railroad track of the Chippewa Portage Company.

Mr. Chapel gave notice that on to-morrow he would ask leave to introduce,

A bill authorizing certain persons to construct a floating or dry dock above the Falls of Ste Marie river, in the county of Chippewa.

On motion of Mr. McIntyre,

House bill No. 34 was taken from the committee of the Whole and laid on the table.

Mr. Beebe, in pursuance of previous notice, asked leave to introduce,

A bill to amend an act entitled an act approved April 3, 1848.

Leave was granted, and the bill read a first and second time and referred to the committee on the Judiciary.

On motion of Mr. Atwood,

House bill No. 42, was taken from the committee of the Whole and laid on the table.

Mr. Church asked and obtained leave to introduce,

A bill to provide for the sale to David S. Waters, of certain salt lands, at the appraised value thereof.

Read a first and second time, and referred to the committee on Public Lands.

THIRD READING OF BILLS.

A bill to authorize the consolidation of the Detroit and Pontiac and the Oakland and Ottawa Railroad Companies, so as to form a continuous line from Detroit to Lake Michigan, under the name of the Detroit and Milwaukee Railway Company,

Was read a third time, and pending the question of its passage,

Mr. Judd moved to recommit the bill, with instructions to amend so as to provide that all taxes paid by said company shall be paid into the State Treasury.

Mr. Parsons moved to amend the motion to commit the bill to the committee on Incorporations, so that committee shall be instructed to amend the bill to provide for a specific State tax in lieu of all other taxes, of one-half of one per cent. until 1860, and thereafter of three-fourths of one per cent.

Which amendment was accepted by Mr. Judd.

Mr. Ralph moved to amend the motion as amended, by requiring a specific tax of one per cent.

Lost.

The question recurring on the motion to re-commit as amended, the same prevailed.

A bill to provide for the formation of companies for running, driving, booming and rafting logs, timber and lumber, and for regulating the floatage thereof,

Was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,

Mr. Hall,
Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Rosa,
Sanborn,

| | | |
|---------------|--------------|-------------|
| Cady, | Kirkland, | Sherman, |
| Chamberlain, | Lapham, | Shier, |
| Chatfield, | Littlejohn, | Smith, |
| Church, | Lomison, | Stout, |
| J. Divine, | Lovell, | Strang, |
| R. K. Divine, | Luce, | Sutherland, |
| Dunakin, | McIntyre, | Tiffany, |
| Duncan, | Middleworth, | Tompkins, |
| DuPuy, | Miller, | Ward, |
| Eddy, | Mills, | Weudell, |
| Enos, | H. Montague, | White, |
| Fitch, | Moorman, | Whitmore, |
| Gilman, | Noble, | Williams, |
| Gregory, | Parker, | Speaker, |

63

NAYS.

Mr. Chapel, Mr. D. N. Montague, Mr. Parsons,
Ewell,

4

On motion of Mr. Sanborn,

The bill was ordered, by a vote of two-thirds of the members, to take immediate effect.

A bill to amend an act entitled an act to incorporate the Southern Michigan Telegraph Company, approved April 2, 1850,

Was read a third time, and,

On motion of Mr. Beebe,

Laid on the table.

A bill to extend the time for the collection of taxes in the city of Detroit,

Was announced for a third reading, when,

On motion of Mr. Wells,

The bill was laid on the table,

Joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for the year 1855,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|--------------|-----------|------------|
| Mr. Atwood, | Mr. Hall, | Mr. Noble, |
| Ashmun, | Hathaway, | Parker, |
| Beebe, | Hixon, | Parsons, |
| Beecher, | Hurd, | Pettit, |
| Brown, | Ives, | N. Power, |
| Brownell, | Judd, | P. Power, |
| Cady, | King, | Ralph, |
| Chamberlain, | Kirkland, | Reynolds, |

Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
Du Puy,
Eddy,
Enos,
Ewell,
Gilman,
Gregory,

Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,

Ross,
Sanborn,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Wells,
Wendell,
Whitmore,
Williams,
Speaker,

63

NAYS.

Mr. Sherman,

Mr. White,

2

A bill to amend section 58 of an act entitled "an act to incorporate the city of Grand Rapids," approved April 2, 1850,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brownell,
Cady,
Chamberlin,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
Eddy,
Enos,
Fitch,
Gilman,
Gregory,
Hall,

Mr. Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
H. Montague,
Moorman,
Mussey,
Noble,

Mr. Parker,
Parsons,
Pettit,
N. Power,
P. Power,
Ralph,
Ross,
Sanborn,
Shier,
Stout,
Strang,
Tiffany,
Tompkins,
Ward,
Wendell,
White,
Whitmore,
Williams,
Speaker,

57

NAYS.

Mr. Chapel,

Mr. Lapham,

Mr. Smith,

3

On motion of Mr. Church,

The bill was ordered, by a two-thirds vote, to take immediate effect.

On motion of Mr. Beecher,

A bill to amend an act entitled "an act to incorporate the Southern Michigan Telegraph Company," approved April 2, 1850,

Was taken from the table and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|--------------|---------------|
| Mr. Ashmun, | Mr. Hixon, | Mr. P. Power, |
| Beebe, | Ives, | Ralph, |
| Beecher, | Judd, | Reynolds, |
| Brown, | King, | Ross, |
| Brownell, | Kirkland, | Sanborn, |
| Cady, | Lapham, | Sherman, |
| Chatsfield, | Littlejohn, | Shier, |
| Church, | Lomison, | Smith, |
| J. Divine, | Lovell, | Stout, |
| R. K. Divine, | Luce, | Strang, |
| Dunakin, | Middleworth, | Tiffany, |
| Duncan, | Mills, | Tompkins, |
| DuPuy, | H. Montague, | Ward, |
| Eddy, | Moorman, | Wells, |
| Enos, | Mussey, | Wendell, |
| Ewell, | Noble, | White, |
| Fitch, | Parker, | Whitmore, |
| Gregory, | Pettit, | Williams, |
| Hathaway, | N. Power, | Speaker, 57 |

NAYS.

| | | |
|-------------|-----------|-----------------------|
| Mr. Gilman, | Mr. Hall, | Mr. D. N. Montague, 3 |
|-------------|-----------|-----------------------|

With the consent of the House,

Mr. Stout offered the following resolution:

Resolved, That the Clerk of this House be authorized to transmit to the Senate, a bill to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage.

Which resolution was adopted.

On motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

Absent, Messrs. Atwood, Edwards, Fitch, Lapham, Lovell, N. Power.

Leave of absence for one day was granted to Mr. Edwards, on account of sickness.

Mr. Church, as Speaker *pro tem*, announced the following:

EXECUTIVE OFFICE,
Lansing, February 1, 1855. }

To the Speaker of the House of Representatives:

I have this day approved and filed in the office of the Secretary of State,

An act to extend the time for the collection of taxes in the several townships of Emmet, Clyde, St. Clair and Port Huron, in the county of St. Clair; also,

An act to extend the time for the collection and return of taxes in the townships of Muskegon, Wright, and White River, in the county of Ottawa; also,

An act to extend the time for the collection and return of taxes in the town and city of Ann Arbor, and county of Washtenaw.

KINSLEY S. BINGHAM.

Also, the following:

MESSAGE FROM THE OTHER HOUSE.

SENATE CHAMBER,
Lansing, February 1, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform the House of Representatives, that the Senate have concurred in the amendments of the House to,

A bill to provide for the incorporation of Railroad Companies,

And have ordered the bill as amended to be enrolled.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

The House having reached the

SPECIAL ORDER,

Being, a bill to provide for the incorporation of Colleges and other Institutions of learning, with the amendments reported by the committee on Education, went into consideration of the same.

The question being upon concurring in the amendments of the committee,

Mr. Littlejohn called for the yeas and nays on the first amendment, Strike out the word "University," wherever the same occurs in said bill.

The amendment was concurred in, by the following vote:

YEAS.

| | | |
|-------------|---------------|--------------|
| Mr. Atwood, | Mr. Kirkland, | Mr. Sanborn, |
| Ashmun, | Littlejohn, | Sherman, |
| Beebe, | Lomison, | Smith, |
| Brownell, | Luce, | Stout, |
| Cady, | McIntyre, | Sutherland, |
| Chapel, | Miller, | Tiffany, |
| Chatfield, | Moorman, | Ward, |
| Church, | Munsey, | Wells, |
| DuPuy, | Noble, | Wendell, |
| Eddy, | Parker, | White, |
| Enos, | Parsons, | Whitmore, |
| Fitch, | Pettit, | Wilbur, |
| Hall, | P. Power, | Williams, |
| Hixon, | Reynolds, | Speaker, |
| Hurd, | Ross, | |

44

NAYS.

| | | |
|---------------|--------------|-----------------|
| Mr. Beecher, | Mr. Gilman, | Mr. Mills, |
| Brown, | Gregory, | D. N. Montague, |
| Chamberlin, | Hathaway, | H. Montague, |
| J. Divine, | Ives, | N. Power, |
| R. K. Divine, | Judd, | Ralph, |
| Dunakin, | King, | Shier, |
| Duncan, | Lovell, | Strang, |
| Ewell, | Middleworth, | Tompkins, |

24

Pending the question of concurring in second amendment, to strike out the eighth subdivision of section 3,

Mr. Beebe moved to amend the eighth subdivision of section 3, by adding the following:

“ Provided, That the course of study pursued in such College be in all respects as thorough and comprehensive as is usually pursued in similar institutions in the United States.”

Which motion prevailed.

Mr. Tiffany moved to strike out “to,” in line 16, and insert “any village may.”

Withdrawn.

The question being on the amendment to strike out, the same was lost, Mr. H. Montague calling for the yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|---------------|
| Mr. Atwood, | Mr. Littlejohn, | Mr. P. Power, |
| Ashmun, | Lomison, | Sherman, |
| Brownell, | McIntyre, | Smith, |

Fitch,
Hixon,

Moorman,
Parsons,

White,
Speaker, 15

NAYS.

Mr. Beebe,
Beecher,
Brown,
Cady,
Chamberlin,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Knos,
Kwell,
Gilman,
Gregory,
Hall,

Mr. Hathaway,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Lovell,
Luce,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Mussey,
Noble,
Parker,
Pettit,

Mr. N. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
Whitmore,
Wilbur,
Williams, 53

The third amendment to strike out section 4, was non-concurred in.

The fourth amendment, insert the following to stand as section —:
"No corporation formed under the provisions of this act shall be entitled to any pecuniary aid from the State,"

Was non concurred in, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Brown,
Brownell,
Chatfield,
Church,
Duncan,
DuPuy,
Eddy,
Fitch,
Hixon,

Mr. Kirkland,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Miller,
Moorman,
Noble,
Parsons,
Pettit,

Mr. P. Power,
Ross,
Sherman,
Smith,
Stout,
Strang,
Sutherland,
Wells,
White,
Wilbur,

31

NAYS.

Mr. Atwood,
Beecher,
Cady,
Chamberlin,

Mr. Hathaway,
Hurd,
Ives,
Judd,

Mr. Parker,
N. Power,
Ralph,
Sanborn,

| | | |
|---------------|-----------------|-----------|
| Chapel, | King, | Shier, |
| J. Divine, | Lapham, | Tiffany, |
| R. K. Divine, | Luce, | Tompkins, |
| Dunakin, | Middlesworth, | Ward, |
| Ewell, | Mills, | Wendell, |
| Gilman, | D. N. Montague, | Whitmore, |
| Gregory, | H. Montague, | Williams, |
| Hall, | Mussey, | Speaker, |

36

Mr. Beecher moved the previous question.

The question, "shall the main question be now put?" was not sustained, by the following vote, Mr. Parsons calling for the yeas and nays:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Beecher, | Mr. Ives, | Mr. P. Power, |
| Brown, | Lapham, | Ralph |
| Brownell, | Luce, | Sanborn, |
| Cady, | Middlesworth, | Shier, |
| J. Divine, | Mills, | Smith, |
| R. K. Divine, | D. N. Montague, | Stout, |
| Dunakin, | H. Montague, | Tiffany, |
| Eddy, | Mussey, | Tompkins, |
| Ewell, | Parker, | Ward, |
| Gregory, | N. Power, | Wendell, |
| Hurd, | | |

31

NAYS.

| | | |
|--------------|-------------|-------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Pettit, |
| Ashmun, | Judd, | Reynolds, |
| Beebe, | King, | Ross, |
| Chamberlain, | Kirkland, | Sherman, |
| Chapel, | Littlejohn, | Strang, |
| Chatfield, | Lomison, | Sutherland, |
| Church, | Lovell, | Wells, |
| Duncan, | McIntyre, | White, |
| DuPuy, | Miller, | Whitmore, |
| Fitch, | Moorman, | Wilbur, |
| Gilman, | Noble, | Williams, |
| Hall, | Parsons, | Speaker, |
| Hathaway, | | |

37

Mr. Williams moved to strike out in the fourth line of section 1, the word "thirty," and insert therefor the words "one hundred."

Withdrawn.

Mr. Beebe moved to strike out "two," in 4th line, and insert "five;" also, strike out "ten," in 6th line, and insert "twenty;" also, strike out "ten," in 15th line, and insert "twenty."

Which motion prevailed.

The bill was then ordered to be engrossed and read a third time.

On motion,

The House took a recess until 7 o'clock in the evening.

EVENING SESSION.

7 o'clock, P. M.

House was called to order.

Roll called; a quorum present.

Absent, Messrs. Enos, Lovell, Noble and Wilbur.

On motion of Mr. Mills,

The rules were suspended, and

A bill to provide for the incorporation of colleges and other institutions of learning,

Was read a third time, when

Mr. Church moved to recommit the bill to the committee on Education, with instructions to amend the same by striking out the words "real or," in the 4th sub-division of section 3; and also, by striking out all of 5th sub-division, and report the same back thus amended forthwith.

Which motion was lost, as follows, Mr. Mussey calling for the yeas and nays:

YEAS.

Mr. Ashmun,
Brownell,
Chamberlin,
Chapel,
Church,

Mr. Duncan,
Fitch,
Hixon,
Parsons,
Rosa,

Mr. Sanborn,
Smith,
Stout,
Wilbur,

14

NAYS.

Er. Atwood,
Barclay,
Beebe,
Beecher,
Brown,
Cady,
Chatfield,
J. Divine,
R. K. Divine,
Dunakin,
DuPuy,

Mr. Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Sherman,
Shier,
Strang,
Sutherland,
Tiffany,
Tompkins,

| | | |
|-----------|-----------------|-----------|
| Eddy, | Milla, | Ward, |
| Ewell, | D. N. Montague, | Wells, |
| Gilman, | H. Montague, | Wendell, |
| Gregory, | Moorman, | White, |
| Hall, | Mussey, | Whitmore, |
| Hathaway, | Noble, | Williams, |
| Hurd, | Parker, | Speaker, |
| Ives, | | |

55

The bill was then passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Ives, | Mr. N. Power, |
| Beebe, | Judd, | P. Power, |
| Beecher, | King, | Ralph, |
| Brown, | Kirkland, | Ross, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Lomison, | Sherman, |
| J. Divine, | Lovell, | Shier, |
| R. K. Divine, | Luce, | Smith, |
| Dunakin, | Middlesworth, | Strang, |
| Duncan, | Miller, | Tiffany, |
| Eddy, | Milla, | Tompkins, |
| Ewell, | D. N. Montague, | Ward, |
| Fitch, | H. Montague, | Wells, |
| Gilman, | Moorman, | Wendell, |
| Gregory, | Mussey, | White, |
| Hall, | Noble, | Whitmore, |
| Hathaway, | Parker, | Williams, |
| Hurd, | Pettit, | Speaker, |

64

NAYS.

| | | |
|-------------|-------------|---------------|
| Mr. Ashmun, | Mr. DuPuy, | Mr. Reynolds, |
| Brownell, | Hixon, | Stout, |
| Chapel, | Littlejohn, | Sutherland, |
| Chaffield, | McIntyre, | Wilbur, |
| Church, | Parsons, | |

14

Mr. Tiffany moved to amend the title by striking out "colleges and other."

Which motion prevailed.

Mr. Strang moved that the bill take immediate effect.

Which motion, by a two-thirds vote, prevailed.

GENERAL ORDER.

The House then went into the committee of the Whole, on the general order,

Mr. Stout in the chair.

After some time spent thereon, the committee rose and through their chairman reported back the following bill:

A bill to authorize the formation of county and town agricultural societies,

To which they had made sundry amendments, in which they asked the concurrence of the House, and from which they asked to be discharged.

Report accepted, committee discharged, amendments concurred in, and the bill ordered engrossed for a third reading.

On motion,

The House adjourned.

Lansing, Friday, February 2, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Franklin.

Roll called; all the members present.

PETITIONS PRESENTED.

By Mr. Beecher: of Capt. Frederick Hart and 200 other citizens of this State, praying for a law for the assessment and collection of an annual tax, not exceeding fifty cents, of each of the male inhabitants of this State, not actually belonging to any military organization.

Referred to the committee on Militia.

By Mr. Mussey: of Isaac Stone, jr., and 104 others, relative to Academic Schools.

Laid on the table.

By Mr. Hall: of John F. Hinman, John Callahan, and other citizens of Battle Creek, in the county of Calhoun, praying for the passage of a general banking law.

Referred to the committee on Banks and Incorporations.

By Mr. Wells: of Christopher Markey, and 40 others; of J. F. Munro, and 19 others; of Capt. George Willoughby, Charles Howard, and 36 others, and of Edwin Reeder, John W. Irvine, and 27 others, for authority to Lewis Ives to maintain a bridge in the township of Springwells.

Referred to the committee of the Whole.

By Mr. Chamberlin: remonstrance of P. Sexton and 19 others; of Augustus D. Burdane and 20 others; of Alexander S. Conrad and 24 others; of H. K. Sanger and 62 others; of E. H. Wilcox and 54 others; of Jas. G. Rumsey, Hamilton Miller, W. S. Briggs, and 12 others, and of Samuel P. Brady, Z. Chandler & Co., G. Williams & Co., and 40 others, against the passage of any law which will allow of any obstruction or permit, with the free use of the ancient highway commonly called the "Riser Road," running through the township of Springwells, from the city of Detroit to the city of Monroe.

Referred to the committee of the Whole.

By Mr. Parker: petition of E. S. Holeman and 33 others, citizens of Lanawee county, asking an amendment of the primary school law relative to fuel.

Referred to the committee of the Whole.

By Mr. Ward: of Peter McGregor and 44 others, of Cottrelville; also, of D. G. Jones and 53 others, praying for a general registration law.

Referred to the committee on Elections.

By Mr. Atwood: remonstrance of N. Edmonds and 78 others, citizens of Tuscola, against the passage of a bill to define the northern boundary of the county of Lapeer.

Referred to the committee of the Whole.

By Mr. Hall: resolution of the Board of Supervisors of the county of Calhoun, asking for a modification of certain provisions of the primary school law.

Referred to the committee on Education.

By Mr. Atwood: petition of George Anthony and 51 others, citizens of Tuscola, asking for an appropriation of alternate sections of swamp lands to the Saginaw and Tuscola plank road company.

Laid on the table.

By Mr. Strang: of J. Morrison and 47 others, to change the name of the township of Newaygo.

REPORTS OF STANDING COMMITTEES.

Mr. R. K. Divine made the following report:

The committee on Roads and Bridges, to whom was referred the petition of Abram Hoag and 14 others, of the village of Otsego, county of Allegan, praying for the alteration of the side lines of a street in

said village, and of a road connected therewith, beg leave to report that your committee have had the subject of the petition under consideration, and instruct their chairman to report a bill in accordance with the prayer of said petitioners, and recommend that it do pass and that the committee be discharged.

Report accepted, committee discharged, and the bill laid on the table.

Mr. White made the following report:

The committee on Towns and Counties to whom was referred the petition of John W. Paul and 14 others, citizens of Gratiot county, asking to be organized into a separate township, beg leave to report that your committee have had under consideration the subject of said petition, and have instructed their chairman to report a bill to the House, in accordance with the prayer of the petitioners, and recommend that it do pass, and that the committee be discharged.

Report accepted, committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole and placed on the general order.

Mr. White also made the following report:

The committee on Towns and Counties, to whom was referred the petition of Edward P. Hall and 12 others, citizens of Lapeer county, asking to be organized into a separate township, beg leave to report that your committee have had the subject under consideration, and have instructed their chairman to report to the House a bill in accordance with the prayer of the petitioners, and recommend that it do pass, and the committee be discharged, &c.

Report accepted, committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole and placed on the general order.

Mr. Chatfield, from the committee on State Prison, made a minority report upon the government of the prison, accompanied with statements in evidence, and moved to lay the same on the table and order printed.

A division of the question, and the yeas and nays being called for, the report and accompanying documents were laid on the table, by the following vote:

YEAS.

Mr. Ashmun,
Beebe,

Mr. Judd,
King,

Mr. N. Power,
P. Power,

Beecher,
Brownell,
Cady,
R. K. Divine,
Dunakin,
DuPuy,
Eddy,
Gilman,
Gregory,
Hathaway,
Hurd,
Ives,

Lapham,
Lovell,
Luce,
McIntyre,
Middlesworth,
Mills,
H. Montague,
Moorman,
Noble,
Parker,
Parsons,
Pettit,

Reynolds,
Sanborn,
Shier,
Stout,
Tompkins,
Ward,
Wells,
Whitmore,
Wilbur,
Williams,
Speaker,

41

NAYS.

Mr. Atwood,
Barclay,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
Duncan,
Edwards,

Mr. Ewell,
Fitch,
Hixon,
Kirkland,
Littlejohn,
Lomison,
Miller,
D. N. Montague,

Mr. Ross,
St. Aubin,
Sherman,
Smith,
Strang,
Sutherland,
Wendell,
White,

25

The question then being on ordering the same to be printed, the motion was sustained, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Brown,
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,
Fitch,

Mr. Gilman,
Gregory,
Hathaway,
Hixon,
Hurd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
Moorman,
Noble,

Mr. Parsons,
N. Power,
P. Power,
Reynolds,
Ross,
St. Aubin,
Sherman,
Smith,
Strang,
Sutherland,
Tompkins,
Wendell,
White,
Wilbur,
Williams,
Speaker,

50

NAYS.

Mr. Beecher,
Brownell,
R. K. Divine,

Mr. Luce,
Mills,
Parker,

Mr. Shier,
Stout,
Ward,

3

Dunakin,
Judd,

Sanborn,

Whitmore,

13

Mr. Stout made the following report:

The committee on Engrossment and Enrollment would respectfully report as correctly enrolled, signed, and this day presented to the Governor for approval,

Joint resolution relative to United States military reservations in the State of Michigan; also,

An act to provide for the appointment of circuit court commissioners in cases of vacancy; also,

An act for the relief of certain purchasers of primary school lands.

Mr. Sanborn submitted the following:

The committee on Public Lands have had under consideration, joint resolution of George Matthews, through their chairman report the same back to the House, recommending the passage thereof, and ask to be discharged from its further consideration.

Report accepted, committee discharged, and the resolution laid on the table.

Also the following:

The committee on Public Lands have had under consideration the petition of Daniel Campau and Elisha Taylor, United States Land Agents at Detroit, asking compensation for transferring swamp lands to the State, report that they have found no authority of law for allowing the claim of United States Land Agents, for services in transferring said lands from the United States to this State, and your committee report said petition back to the House, and recommend that the petitioners have leave to withdraw said petition; your committee ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and leave granted to withdraw the petition.

Mr. McIntyre submitted the following:

The committee on Banks and Incorporations, to whom was recommended the bill to authorize the consolidation of the Detroit and Pontiac and the Oakland and Ottawa Railroad Companies, so as to form a continuous line from Detroit to Lake Michigan, under the name of the Detroit and Milwaukee Railway Company, with instructions, have, according to order, had the same under consideration, and according to

instructions, recommend that said bill be amended as follows: strike out section 9, and insert in lieu thereof the following:

"Sec. 9. The said company shall pay an annual tax into the Treasury of this State, of one half of one per cent, until the year 1860, on all its capital stock, for all bonds or other securities issued into, be issued by said company, to secure the payment of money borrowed or be borrowed by said company, including the capital stock paid in; and the bonds and other securities issued, or money borrowed by the said Detroit and Pontiac Railroad Company, or the said Oakland and Ottawa Railroad Company, and in and after the year 1860, said company shall pay into the State Treasury a tax of three quarters of one per cent. on the amount of capital paid in, and on the amount of bonds and securities issued as heretofore mentioned, which tax shall be paid in the last week in January of each year, and when paid shall be in lieu of all other taxes of every kind, authorized by any law of this State."

Report accepted, and committee discharged.

Mr. Littlejohn moved to amend the amendment reported, by substituting therefor the following:

"Sec. 9. The said company shall, on or before the first day of July in each year, pay to the State Treasurer an annual tax of one per cent. on the capital of said company paid in, including the capital stock of the Detroit and Pontiac Railroad Company paid in, which tax shall be in lieu of all other taxes upon the property of said company, whether real, personal or mixed, except penalties, fines and forfeitures."

Motion to amend the amendment carried by the following vote, Mr. Parsons calling for the yeas and nays:

YEAS.

| | | |
|---------------|---------------|--------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Parsons, |
| Beebe, | Hixon, | Pettit, |
| Brown, | Kirkland, | N. Power, |
| Chamberlin, | Lapham, | Ross, |
| Chapel, | Littlejohn, | St. Aubin, |
| Chatfield, | Lomison, | Stout, |
| J. Divine, | H. Montague, | Strang, |
| R. K. Divine, | Moorman, | Sutherland, |
| Duncan, | Mussey, | Wells, |
| Edwards, | Noble, | Speaker, |
| Hall, | | |

NAYS.

Mr. Beecher,
Brownell,
Church,
Eddy,
Ewell,
Fitch,
Gilman,
Gregory,
Hurd,
Ives,

Mr. Jadd,
King,
Lovell,
Luce,
McIntyre,
Middlesworth,
D. N. Montague,
Parker,
P. Power,
Ralph,

Mr. Sanborn,
Tiffany,
Tompkins,
Ward,
Wendell,
White,
Whitmore,
Wilbur,
Williams,

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The question then being on the adoption of the amendment as amended,

Mr. Fitch moved a call of the House.

Which call being sustained, was made, and Messrs. Enos and Miller found to be absent.

On motion of Mr. Fitch,

Further proceedings under the call were dispensed with.

Pending the question on the adoption of the amendment as amended,

On motion of Mr. Judd,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

Mr. Enos obtained leave of absence for the day.

The House resumed the consideration of the bill to authorize the consolidation of the Detroit and Pontiac and Oakland and Ottawa Railroad Companies, so as to form a continuous line from Detroit to Lake Michigan, under the name of the Detroit and Milwaukee Railway Company.

The question being on the adoption of the amendment as amended, the same was lost, as follows, Mr. Parsons calling for the yeas and nays:

YEAS

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Chapel,

Mr. Hixon,
Kirkland,
Littlejohn,
Miller,
H. Montague,

Mr. Reynolds,
St. Aubin,
Sherman,
Smith,
Stout,

J. Divine,
R. K. Divine,
Dunakin,
Duncan,
Edwards,
Hall,

Mussey,
Noble,
Parsons,
Pettit,
N. Power,

Strang,
Sutherland,
Wells,
Wilbur,
Speaker,

31

NAYS.

Mr. Brown,
Brownell,
Cady,
Church,
DuPuy,
Eddy,
Ewell,
Gilman,
Gregory,
Hathaway,
Hurd,

Mr. Ives,
Judd,
King,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,
D. N. Montague,
Moorman,
Parker,

Mr. P. Power,
Ralph,
Sanborn,
Shier,
Tiffany,
Tompkins,
Ward,
Wendell,
Whitmore,
Williams,

32

On motion of Mr. H. Montague,

The vote upon which the amendment to the amendment was carried, was reconsidered.

The question then being on adopting the amendment to the amendment, the same was lost.

The question then recurring on concurring in the amendment reported by the committee,

Mr. McIntyre moved to amend the same by inserting after the word "stock," the words "paid in."

Which motion prevailed.

The question then being on concurring in the amendment as amended, the House concurred, as follows, the yeas and nays being called:

YEAS.

Mr. Beebe,
Beecher,
Brown,
Brownell,
Cady,
Church,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,

Mr. Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,

Mr. Moorman,
Noble,
Parker,
Ralph,
Sanborn,
Sherman,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,

Ewell,
Gilman,
Gregory,
Hall,

Miller,
Mills,
D. N. Montague,
H. Montague,

Ward,
White,
Whitmore,
Williams, 48

NAYS.

Mr. Atwood,
Ashmun,
Barclay,
Chapel,
J. Divine,
Littlejohn,
Middlesworth,

Mr. Mussey,
Parsons,
Pettit,
N. Power,
P. Power,
Reynolds,

Mr. St. Aubin,
Smith,
Wells,
Wendell,
Wilbur,
Speaker,

19

The bill, as amended, was then passed by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,
Gilman,
Gregory,
Hall,
Hathaway,
Hixon,

Mr. Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomason,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

65

NAYS.

Mr. Barclay,

1

Mr. Tiffany made the following report:

The committee on the Judiciary, to whom was referred House bill (in manuscript) to amend chapter 58 of title 11 of the revised statutes of 1846, relative to the power of school districts in furnishing fuel, &c., have had the same under consideration, and have instructed me to report the same back, with a recommendation that it do pass.

The same committee have had under consideration, House bill (in manuscript) to authorize attorneys of courts of record to take proof and acknowledgments of deeds and other instruments in writing, heretofore referred to them; also, House bill (in manuscript) to prescribe the form of a deed of real estate, have had the same under consideration, and have instructed me to report the same back, with a recommend that neither of the above do pass.

Report accepted, committee discharged, and the several bills laid on the table.

Also, the following report:

The committee on the Judiciary, to whom was referred,

A bill to amend section 30 of act No. 156, of the session laws of 1851, and section 36 of act No. 86, of the session laws of 1853, regulating the compensation of Supervisors in certain cases,

Have had the same under consideration, and have instructed me to report the same back, with a recommend that it do pass.

Report accepted, committee discharged, and the bill referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on the Judiciary, to whom was referred House bill (in manuscript) to amend sections 19 and 22, of chapter 172 of the revised statutes of 1846, have had the same under consideration, and have instructed me to report the same back, with a recommend that it do pass.

Report accepted, committee discharged, the bill referred to the committee of the Whole, and placed on the general order.

Also, the following:

The committee on the Judiciary, to whom was referred two House joint resolutions, (in manuscript) relative to an exchange of lots with the First Presbyterian and the First Baptist Societies in Lansing, have instructed me to report a substitute for each one thereof, and recommend the adoption of the said substitutes, and the passage thereof.

Report accepted, committee discharged, the substitutes adopted and laid on the table.

Also, the following:

The committee on the Judiciary, to whom was referred Senate bill No. 10, in relation to insurance companies and insurance agents; also,

Senate bill No. 29, to revise an act entitled an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1840; also, Senate bill No. 26, to amend sections 9 and 10 of chapter 65 of the revised statutes of 1846, relative to execution of deeds in other States; also, Senate bill (in manuscript) to amend sections 32 and 23 of chapter 171 of the revised statutes of 1846, relative to keepers of county jails, have had the same under consideration, and have instructed me to report the same back, with a recommend that they do pass.

Report accepted, committee discharged, the first named bill was laid on the table, and the other three referred to the committee of the Whole and placed on the general order.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

OFFICE OF THE SECRETARY OF STATE, }
Lansing, Jan. 31, 1855.

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—I have the honor to transmit herewith an abstract of the reports of the Superintendents of the Poor of the several counties of this State, for the year 1854, so far as the same have been received at this office.

Your ob't servant,

JOHN MCKINNEY,
Secretary of State.

Which communication was laid on the table.

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, February 1, 1855.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

A bill to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Which the Senate have amended as follows: by striking out the word "eleven," in line 4 of section 8, and inserting the word "twelve;" also,

strike out the word "thirteen," in 4th line of section 19, and insert the word "fourteen."

In which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The message was laid on the table, and the bill (the amendments having been concurred in, on motion of Mr. Parsons,) was ordered to be enrolled.

Also, the following:

SENATE CHAMBER,
Lansing, February 1, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform the House of Representatives that the amendments made by the House to Senate bill No. 15, being,

A bill to provide for the incorporation of colleges and other institutions of learning,

Were all severally concurred in by the Senate, and the bill as amended ordered to be enrolled.

Very respectfully, &c.,

I. W. WILDER,

Secretary of the Senate.

Also, the following:

SENATE CHAMBER,
Lansing, February 2, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

1. A bill to amend an act entitled an act to incorporate the village of Port Huron.

2. A bill to authorize the Commissioner of the State Land Office to confirm the sale of certain lands.

3. A bill supplemental to an act passed March 21, 1837, amendatory of an act to incorporate the Michigan and Huron Institute.

4. Joint resolution authorizing the Board of State Auditors to adjust the claim of the State against Charles D. Holmes and Patterson P. Holmes.

5. A bill to grant to the First Wesleyan Methodist Church in Lansing, a certain lot in the village of Lansing.

6. A bill to authorize Charles C. Trowbridge to discharge a certain mortgage.

7. A bill to provide for holding the terms of the Supreme Court.

8. Joint resolution relative to the claim of Andrew Harvie.

All of which, except the third named, the Senate have passed by a vote of a majority of all the Senators elect, and the first named bill ordered to take immediate effect by a vote of two-thirds of said Senators. The third named bill was passed by a vote of two-thirds of all the Senators elect, and by a like vote ordered the same to take immediate effect; in all which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Which message was laid on the table, and the several bills read a first and second time, the first, second and fifth named bills laid on the table, and the several others (the rules being suspended) ordered to be placed on the order of third reading.

Also, the following:

SENATE CHAMBER,
Lansing, February 1, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to return to the House of Representatives,

A bill to organize the county of Iosco.

A bill to organize the county of Gratiot.

A bill to amend an act entitled "an act for the encouragement of agriculture, manufacture and the mechanic arts," approved March 16th, 1849.

A bill for the incorporation of charitable societies.

A bill to organize the township of Forrester, in the county of Sanilac.

A bill to amend the laws incorporating the city of Detroit, and the several acts amendatory thereto.

All of which bills the Senate have passed by a majority vote of all the Senators elect, and the last 3 bills ordered to take immediate effect by a vote of two-thirds of all said Senators, in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which message was laid on the table, and the several bills were ordered to be enrolled.

Also, the following:

SENATE CHAMBER,
Lansing, February 1, 1855. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to the House of Representatives, House bill No. 37, being,

A bill to authorize the Water Commissioners of the city of Detroit to loan money for the purpose of extending and improving the Water Works of said city,

Which the Senate have passed by a vote of a majority of all the Senators elect, and by a vote of two-thirds of said Senators, ordered to take immediate effect, and respectfully ask the concurrence of the House.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

Which message was laid on the table, and the bill read a first and second time, and,

On motion of Mr. Wells,

The rules were suspended, and the bill ordered to be read a third time.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White gave notice that at some future day, he would ask leave to introduce,

A bill to annex the south half of town 10 north, of range 8 east, to the county of Tuscola.

Mr. H. Montague, pursuant to previous notice, asked leave to introduce,

A bill to amend an act entitled an act to incorporate the village of Kalamazoo.

Leave was granted, and the bill read a first and second time, and (the rules being suspended,) ordered to be read a third time.

Mr. Mills gave notice that on to-morrow he would ask leave to introduce,

A bill to change the name of the First Presbyterian Society of Grass Lake, Jackson county.

On motion of Mr. Stout, it was

Resolved, That House bill No. 20, entitled a bill to provide for the sale and reclaiming of the swamp lands granted to this State, and for the disposition of the proceeds of such sale, be taken from the general order, and be made the special order for Monday next at 10 o'clock, A. M.

Mr. Littlejohn asked the unanimous consent of the House for leave to introduce,

A bill supplementary to an act entitled an act to provide for the incorporation of Railroad Companies.

Leave was granted, and the bill read a first and second time and referred to the committee on Banks and Incorporations.

Mr. McIntyre moved to take from the table,

House bill No. 52, being,

A bill relative to Free Schools.

Which motion prevailed.

The title of the bill being announced, and amendments being in order,

Mr. Ewell moved to strike out the words "or without," in the 3d line of the 1st section.

Lost.

Mr. Judd moved to strike out all after the enacting clause,

Pending which motion,

The bill was laid on the table.

Mr. Chapel, agreeable to previous notice, asked and obtained leave to introduce,

A bill authorizing certain persons to construct a floating or dry dock above the Falls of Ste Marie River, in the county of Chippewa.

The bill was read a first and second time, and (the rules being suspended,) ordered to be read a third time.

On motion of Mr. Mussey,

House bill No. 50 was taken from the committee of the Whole and laid on the table.

Mr. Chapel, agreeable to previous notice, asked and obtained leave to introduce,

A joint resolution requiring the Commissioners of the Saut Ste Marie Canal to re-construct the Railroad track of the Chippewa Portage Company.

The resolution was read a first and second time, and (the rules being suspended,) ordered to a third reading.

On motion of Mr. Mussey,

House bill No. 61 was taken from the committee of the Whole and laid on the table.

On motion,

The House adjourned.

Lansing, Saturday, February 3, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. ———.

Roll called; a quorum present.

Mr. Hall asked and obtained leave of absence for Mr. Dunakin, until Tuesday.

The Speaker, the unanimous consent of the House being given, announced the following:

EXECUTIVE OFFICE,
Lansing, February 2, 1855. }

To the Speaker of the House of Representatives:

I have approved and filed in the office of the Secretary of State,

A joint resolution relative to United States Military Reservations in the State of Michigan.

An act to provide for the appointment of Circuit Court Commissioners in cases of vacancy.

An act for the relief of certain purchasers of Primary School Lands.

KINSLEY S. BINGHAM.

Mr. Parsons, pursuant to previous notice, made the following

PROTEST:

In pursuance of the constitutional right that "any member of the House may dissent from and protest against any act, proceeding, or resolution which he may deem injurious to any person or the public, and have the same entered on the Journal," I offer to be entered thereon the following dissent and protest against the passage by this House, of "Joint Resolutions respecting Slavery in the Territories of the United States," and the act of a majority of the House in refusing me a fair opportunity to offer amendments or objections thereto.

1. I dissent from the opinion expressed in the first Resolution, that the repeal of the Missouri Compromise (so called) by Congress, was a violation of a mutual covenant between the free States and the slave-holding States of the Union, believing that a majority of the free States, or the people thereof, never consented to the right of Congress to pass the Missouri Compromise act which was intended not only to exclude slavery North of the line described therein, but to *establish* or recognize it South of that line, and also that a majority of Northern members of Congress did not vote for that act.

2. I dissent from the opinion expressed in the 3d Resolution, that it is within the constitutional power of Congress to abolish slavery in the Territories of the United States, as a doctrine which must acknowledge the power of Congress to *establish* it there, as a doctrine inconsistent with man's natural sovereignty and his right of self-government, which are the consequent right of families and communities to prescribe rules or laws for the regulation of their own domestic affairs and especial or particular interests, and therefore as a doctrine repugnant to the fundamental principles of a Republican Government, evincing, as it appears to me, an unwillingness to trust in the power or wisdom of Omnipotence to deal with man for a violation of any of His laws, but on the other hand exhibiting a disposition to assume the entire control over man's domestic affairs, and hold him accountable to human laws when he is only justly answerable to his Creator.

3. I dissent from the instructions contained in the fourth Resolution to our Senators and Representatives in Congress, "to vote for and use their best exertions to procure the passage of an act by Congress that

shall prohibit the introduction or existence of slavery in any of the United States, and especially in Kansas and Nebraska, and to introduce without delay, a bill for that purpose." The reasons for this dissent are briefly: That I do not believe that Congress has the Constitutional power to pass such a bill; that our Senators and Representatives in Congress have clearly a duty to perform to the United States as a National Government, as well as to the State, whose especial interests they represent; before entering upon the duties, they are sworn and required, *not to support the Constitution of their own State*, but the Constitution of the United States. It is not therefore the province of the Legislature of a State to instruct their Senators and Representatives in Congress how they shall understand the Constitution of the United States, which they have sworn to support, nor to violate their sense of duty as members of the National Legislature, which duty they have also sworn faithfully to perform.

4. I dissent from the 5th and 6th Resolutions, declaring that this House are in favor of "the immediate repeal" of the act of 1850, known as the Fugitive Slave Law, and protest against the instructions to our Senators and Representatives in Congress to use their exertions for such repeal. The action of a minority of this House in refusing to adopt the amendment proposed by the gentleman from Allegan, (Mr. Littlejohn) to the 5th Resolution, which was as follows:

"*Resolved*, That the act of Congress of 1850, known as the Fugitive Slave Law, in the opinion of the people of this State, contains provisions of doubtful constitutionality: that the mode of procedure thereunder is in some respects repugnant to the moral sense of the people of the free States, and that we are in favor of its immediate modification, so as to provide that the fugitive from whom labor or service is claimed to be due, may be lawfully reclaimed only through the organism of the federal court, in the mode clearly indicated by the Jefferson proviso in the ordinance of 1787, and without the power to compel the assistance of our citizens in making such recapture, otherwise than to repel unlawful resistance to the officer properly executing the process of said courts."

And also in refusing to adopt the amendment proposed by the gentleman from Kent, (Mr. Church) which is as follows:

“Resolved, That the act of Congress of 1850, known as the Fugitive Slave Law, contains provisions of doubtful constitutionality; that its proceedings are repugnant to the moral sense of the people of the free States, and that we recommend its immediate amendment in these respects, to-wit: That the certificate in said act described shall not be conclusive evidence of servitude, and that a trial by jury of all the questions of fact arising under the proceedings had under the said law shall be provided for,” forces upon me the irresistible conclusion that the majority, voting for and passing those Resolutions, were unwilling to submit to what I deem just and reasonable amendments of the Fugitive Slave Law, (so called,) but in their fervent zeal to give freedom to the slave, they overlooked the constitutional provision and requirement that “no person held to service or labor in one State under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.”

I deem it to be unquestionably the duty of Congress to see that there shall be a Fugitive Slave Law, based upon this constitutional provision and requirement, and that such a law as contemplated by the amendments proposed and rejected as aforesaid, would be as free from objection as possible, affording the fugitive all the privileges which could be granted to him constitutionally, and not requiring officers or citizens of a State to assist in any manner in making the re-capture of the fugitive “otherwise than to repel unlawful resistance to the officers properly executing the process of the said (United States) court.”

If we bid defiance to one provision of the Constitution, we may to another, and to all of it.

I protest against these Resolutions, fully believing they ask our Senators and Representatives in Congress not only to wink at the Constitution, but to violate what I deem to be their duty to that instrument, and their solemn oath to support it.

I protest against these Resolutions because I feel that they may disgrace Michigan by placing her for the time being in the false attitude of one regardless at least of the National Constitution and the rights of our sister States, and be calculated to weaken the bond of Union which

has ever been the sheet anchor of our liberties, and our hope of perpetuating them.

Lastly: I protest against the act of the majority of this House as to the manner of passing the Joint Resolutions. It appeared to me that the majority of this House were determined to deny me an opportunity of proposing an amendment to the Resolutions, or to express my opinion against them, as it was my desire to do. The majority ordered the Resolutions to be read a third time, and also passed them under the previous question, which cut off all debate and amendment. On the passage of the Resolutions I voted for them, that I might, under a rule of the House, have the privilege of moving to reconsider them on the next day, for the purpose of enabling me briefly to state my objections to the Resolutions, and I immediately gave notice that I should, on the next day, make the motion for such reconsideration. The next day I had my motion for reconsideration prepared, intending to make it as soon as motions should be in order. When motions were announced, one of the majority, as I believe by previous arrangement, sprang with uncommon celerity to the floor, and made the motion which I had given notice I should make, to reconsider the vote by which the Resolutions were passed, and while remaining upon the floor, to prevent me from obtaining it, moved the previous question which the majority ordered, and which again cut off all debate.

This act I deemed unprecedented, discourteous and unjust to the minority of the House, as well as to myself.

Mr. Church, pursuant to previous notice, presented the following

PROTEST.

The undersigned, one of the members of the House of Representatives of the State of Michigan, does hereby present his protest against the action of the said House, and the decision of its presiding officer, the Speaker, in the respects hereinafter set forth:

As will appear from the Journal of the said House, on Wednesday, January 24th, of the present session, the joint resolutions respecting Slavery in the Territories of the United States, were read a third time, and the question then being presented of the passage of the said resolutions,

Mr. Church moved to recommit to the committee on Federal Relations, with instructions to strike out the 6th division and substitute the following:

"Resolved, That our Senators in Congress be instructed, and our Representatives are requested to use their exertions to procure the amendment of the Fugitive Slave Law, in the respects following, to wit: In providing for a trial by jury (at the place of capture) of all questions of fact arising under the proceedings had under the said law, and also in providing that the certificate in said law described shall not be conclusive evidence of the facts therein set forth."

Mr. Gregory asked for a division of the question.

Mr. Littlejohn moved to amend the motion to recommit, by instructing the committee to amend the first resolution by striking out all after the enacting clause and inserting the following:

"That we hold the said repeal, and the submission to the people of the Territories respectively, of the entire question of the admission or exclusion of slavery, as a violation of no mutual constitutional covenant between the free States and the slave-holding States of the Union, as being justified by the necessity, prospectively, of preserving State rights from the encroachments of federal power, as tending thereby to the internal harmony of the country, and to frustrate the well-known purpose of those who, by latitudinarian construction and gradual legislation, designed to merge State sovereignty in central despotism."

The amendment was lost, by yeas and nays, as follows:

Yeas, 24; nays, 45.

Mr. Strang moved to amend the motion to recommit, by instructing the committee to so amend, as to *request* instead of *instruct* our Senators.

Mr. Gregory rose to a point of order, and was overruled.

The question being on the motion to amend, the same was lost, as follows:

Yeas, 24; nays, 47.

Mr. Chatfield moved to amend by instructing the committee to insert the following as an additional resolution:

"Resolved, That our Senators in Congress are hereby instructed, and our Representatives requested to introduce a bill into Congress, and

urge the passage thereof; reinstating the 8th section of the act of 6th of March, 1820, erroneously known as the Missouri Compromise act.'

Pending which,

Mr. Beecher moved the previous question.

The question being, "shall the main question be now put?"

It was sustained, by yeas and nays, as follows:

Yeas, 49; nays, 22.

The Speaker decided the question to be on the passage of the resolution.

Mr. Church appealed from the decision.

The question being put, "shall the decision of the Chair stand as the judgment of the House?"

The decision was sustained.

Now, I protest against this decision of the Speaker. I aver, that when the previous question was sustained, or rather when the House had decided that the main question should be put, the effect of this order was to cut off all debate, and to prevent the offering of farther amendments to the instructions included in the motion to recommit, previously made by the protestant, and then to bring the House to vote on the said instructions, and after the vote on said instructions, to vote on the main question, to wit: the passage of the said resolutions; and the protestant refers to such part of the 13th rule of the Rules of the House of Representatives, which is in the words following:

"RULE 13. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to debate, and bring the House to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question."

Such being the Parliamentary laws in this regard, as is submitted by the protestant; such being the rule of this House, embodying and declaring the said law, the protestant was entitled thereunder to the benefit of said law and rule, by virtue thereof, to a vote of the House upon the instructions he had previously proposed, which were in fact a pending amendment to the said joint resolutions. Before the majority of the House had demanded the previous question, two amendments, the one offered by Mr. Littlejohn, from Allegan, and the one offered by

Mr. Chatfield, of Eaton, had been voted on, as the proceedings of the House, above recited, do show. Such a vote, upon his amendment, (although the same was presented in the form of instructions,) this protestant claims as his right; and therefore he protests against the above stated decision of the Speaker, as erroneous, and the action of the House sustaining such decision upon an appeal taken by this protestant, as also erroneous and unjust.

As appears by the journal of the 24th, other proceedings were then had, and the question thereafter being according to the aforesaid decision of the Speaker, upon the passage of the aforesaid resolutions,

Mr. Church called for a division of the question before the House, and thereupon he was ruled out of order by the Speaker.

Mr. Church appealed from the decision.

The question—"Shall the decision of the chair stand as the judgment of the House?" being put,

The decision was sustained.

Now, I protest against the decision of the Speaker; I aver, that inasmuch as there were submitted to the House, seven distinct propositions, contained in seven distinct resolutions—distinct in draft and form, as well as in idea and purport—the question was therefore divisible, and should, upon the demand of the protestant, have been divided. To show the fact to be as the protestant declares, I set forth, in the very words thereof, the resolutions then before the House, omitting the preamble thereto, as unnecessary for the objects of this protest:

"Resolved by the Senate and House of Representatives of the State of Michigan, That we hold the said repeal and the permission granted by said territorial act, to introduce slavery into said territories as a violation of a mutual compact between the free States and the slaveholding States of the Union; justified by no necessity, present or prospective; injurious to the rights of the former; tending to interrupt the internal harmony of the country, and to frustrate the well known purpose of the framers of the constitution, who, by gradual legislation, designed ultimately to put an end to slavery.

Resolved, That we are opposed to the further extension of slavery or the recognition or permission thereof in any territory now owned or which may hereafter be acquired by the United States.

Resolved, That we hold it to be within the constitutional power of Congress, to abolish slavery and the slave trade in all territories of the United States, and in the District of Columbia, and therefore that it is their duty, in view of the great and permanent interests of the nation, to pass laws for its immediate suppression and extinction in all such territories, and in said District.

Resolved, That our Senators in Congress be and that they are hereby instructed, and our Representatives requested, to vote for and use their best exertions to procure the passage of an act of Congress that shall prohibit the introduction or existence of slavery in any of the territories of the United States, and especially Kansas and Nebraska, and to introduce, without delay, a bill for this latter purpose.

Resolved, That the act of Congress of 1850, known as the Fugitive Slave Law, was, in the opinion of the people of this State, an unnecessary measure; that it contains provisions of doubtful constitutionality; that the mode of proceeding under it is harsh, unjust, and repugnant to the moral sense of the people of the free States, cruel and despotic towards the person claimed as a fugitive, and that we are in favor of its immediate repeal.

Resolved, That our Senators in Congress be and they are hereby instructed, and our Representatives are requested, to use their best exertions to procure the immediate repeal of the act of 1850, known as the Fugitive Slave Law.

Resolved, That the Governor be requested to furnish copies of the foregoing preamble and resolutions to our Senators and Representatives in Congress."

To refuse to divide the question, and to take the vote separately on each resolution in their order, was to prevent the expression of individual opinion, and to compel a member of the House who might assent to some and dissent to others of the said resolutions, either to vote for or to vote against all of them, contrary to his judgment and his wishes. It did so operate in this case. Were the vote then the only record of this protestant's opinions and of his desires on these matters of great and endearing public concernments, he would be placed in a false and unfair position before his constituents and the public. But the constitutional privilege of protest, designed to protect the minority or the individual member of this House from the power of the majority, is claimed

and exercised in my behalf, against the last stated decision of the Speaker I do protest as erroneous, and against the decision of the House sustaining it, as erroneous and unjust.

THOMAS BROWNELL CHURCH.

Feb. 2, 1855.

PETITIONS PRESENTED.

By Mr. Parsons: the memorial of A. H. Stowell, disclaiming the purchase of stationery on account of the State.

Which memorial was laid on the table.

By Mr. Wilbur: the petition of A. W. Smith and 68 others, of the county of Livingston, asking for the establishment of an Agricultural School.

Laid on the table.

By Mr. Beecher: the petition of A. M. Baker and 41 other citizens of Lenawee county, praying for the passage of a registration law, for reasons therein set forth.

Referred to the committee on Elections.

By Mr. Gilman: the petition of Aaron Rowe and 71 others, and of T. E. Phelps and 36 others, asking for a registration law.

Referred to the committee on Elections.

Mr. Barclay: petition of 325 German citizens of the county of Saginaw, praying to have the Statute Laws of the State of Michigan published in the German language.

Referred to the committee on the Judiciary.

By Mr. Atwood: of 300 German citizens of the counties of Saginaw and Tuscola, praying that the Public Laws may be translated into the German language.

Referred to the committee on the Judiciary.

REPORTS OF STANDING COMMITTEES.

Mr. Stout made the following report:

The committee on Engrossment and Enrollment report as correctly engrossed, House bill No 28, entitled,

A bill to authorize the formation of County and Town Agricultural Societies.

Also, as correctly engrossed, signed, and presented this day to the Governor for approval,

An act to organize the county of Gratiot.

Mr. McIntyre made the following report:

The committee on Banks and Incorporations, to whom was referred Senate bill No. 45, entitled a bill to authorize the formation of Gas Light Companies, have, according to order, had the same under consideration, and instructed me to report the same to the House without amendment, and to ask that the committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to be read a third time.

Also, the following:

The committee on Banks and Incorporations, to whom was referred the bill to prevent the issue and sale of fraudulent stocks by incorporated companies, have, according to order, had the same under consideration, and instructed me to report the same to the House, with an amendment, which is herewith submitted, to ask the concurrence of the House in such amendment, to recommend the passage of the bill as amended, and to ask that the committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendment concurred in, and the bill, as amended, laid on the table.

Also, the following:

The committee on Banks and Incorporations, to whom was referred Senate bill No. 12, to incorporate the village of Almont, have, according to order, had the same under consideration, and instructed me, as their chairman, to report the same to the House without recommendation and to ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill laid on the table.

Also, the following:

The committee on Banks and Incorporations, to whom was referred the petition of certain persons asking for the incorporation of the village of Lexington, have, according to order, had the same under consideration, and instructed me to report a bill which is herewith submitted, without recommendation, and your committee respectfully request to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White, in pursuance to previous notice, asked and obtained leave to introduce,

A bill to annex the south half of town ten north, of range eight east, to the county of Tuscola.

Leave granted, and the bill read twice and laid on the table.

Mr. Mills offered the following:

Resolved, That on and after Saturday, February 3d, this House will hold evening sessions, commencing at 7 o'clock.

Mr. McIntyre moved to strike out "Saturday" and insert "Monday."

Carried.

The motion, as amended, after striking out "3d" and inserting "5th," prevailed.

Mr. Tiffany offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker, to select such bills of a general nature, which shall have preference in the order of business each day hereafter.

Lost.

Mr. Littlejohn, consent being obtained, made the following report:

The committee on State Affairs, to whom was referred a bill to provide for opening a road from Lansing to the Straits of Michilimackinac, with branches to Saginaw, Grand and Little Traverse Bays, and Sault Ste. Marie, have had the same under consideration, and have instructed their chairman to report the same back without amendment, recommending that the same be referred to the committee of the Whole, and placed on the general order, without printing.

Report accepted, committee discharged, and the bill referred to the committee of the Whole, and placed on the general order, without printing.

On several motions,

The following bills and resolutions were taken from the committee of the Whole, and laid on the table:

House bills No. 41, 76, 78 and 79.

House resolutions No. 3 and 7.

On motion of Mr. Church,

The committee of the Whole were discharged from the consideration of

A bill to repeal an act entitled an act to organize the county of Emmet, approved January 29, 1853.

The question being on ordering the same to a third reading,

Mr. Strang moved to amend by adding the following proviso and new sections to the bill: "*Provided, however, That this act shall not take effect until a new county is organized out of the territory of said county of Emmet, including the county seat thereof, at Saint James, on Beaver Island.*

Sec. 2. When such new county shall be organized, all lands, buildings, and property of every kind, now belonging to the county of Emmet, shall be and become the property of such new county, as fully as it is now the property of Emmet county, and subject to the same limitations, charges and liabilities.

Sec. 3. Such new county shall be and continue liable for all the debts of the county of Emmet, and all demands against it, to the same extent and in the same manner as said county of Emmet was liable, and shall be entitled to receive and collect all debts and liabilities due or owing to the county of Emmet, in the same manner as the county of Emmet could have received and collected the same, if this act had not passed.

Sec. 4. All public records of the county of Emmet, and of any and all the officers thereof, shall remain and continue the records of such new county as fully, and with the like force and effect, as they would remain the records of said county of Emmet, had this act not passed.

Sec. 5. All officers of the county of Emmet, in office at the time of the taking effect of this act, who shall reside in such new county, shall be officers of such new county, for the same terms for which they were originally elected."

Which amendment was lost, as follows, Mr. Strang calling for the yeas and nays:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Chatfield,
J. Divine,

Mr. Duncan,
Fitch,
Hathaway,
Lomison,
Parsons,

Mr. N. Power,
Sanborn,
Sherman,
Strang,

NAYS.

| | | |
|---------------|---------------|-------------|
| Mr. Beebe, | Mr. Ives, | Mr. Pettit, |
| Beecher, | Judd, | P. Power, |
| Brown, | King, | Ralph, |
| Brownell, | Kirkland, | Reynolds, |
| Cady, | Lapham, | St. Aubin, |
| Chamberlin, | Littlejohn | Skier, |
| Chapel, | Lovell, | Smith, |
| Church, | Luce, | Stout, |
| R. K. Divine, | McIntyre, | Sutherland, |
| DuPuy, | Middlesworth, | Tiffany, |
| Eddy, | Miller, | Ward, |
| Edwards, | Mills, | Wells, |
| Ewell, | H. Montagne, | Wendell, |
| Gilman, | Moorman, | White, |
| Hall, | Mussey, | Whitmore, |
| Hixen, | Noble, | Williams, |
| Hurd, | Parker, | Speaker, |

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The bill was then ordered to be read a third time.

On motion of Mr. Wells,

A bill to extend the time for the collection of taxes in the city of Detroit,

Was taken from the table.

Mr. Wells moved to strike out the word "next," in the last line of section one, and insert therefor "1855;" also, strike out the word "next," after the word "February," in line 7 of section 2; also, the same amendment in the last line of the same section.

Which motion prevailed, and the bill, as amended, was ordered to a third reading.

On motion of Mr. Church,

House bill No. 50 was taken from the committee of the Whole.

The bill was amended by inserting in section 1, line 2, after the word "Michigan," the following:

"Beginning at the south-east corner of a parcel of land, called and known as the 'Trenton Ship-yard,' on the Detroit river; thence west one hundred and sixty rods; thence north to the north line of section eighteen, town four south, of range eleven east; thence west along said section line, to the west shore of the Detroit river; thence down and along said shore of the Detroit river to the place of beginning."

And the same was then ordered to a third reading.

On motion of Mr. Whitmore,

House bill No. 44 was taken from the committee of the Whole and laid on the table.

On several motions,

The following bills were taken from the table, and ordered to a third reading:

1st. A bill to incorporate the village of Dundee,

2d. A bill to incorporate the village of Lexington,

3d. A bill to incorporate the village of Almont,

4th. A bill to incorporate the village of Dexter,

5th. A bill to incorporate the village of Port Huron,

House bills No. 48, and Senate bills Nos. 10 and 24.

Senate bill No. 12,

Was taken from the committee of the Whole and amended, by striking out "one dollar" wherever it occurs in sections 22 and 23, and inserting "seventy-five cents" in lieu thereof, and ordered to a third reading.

House bill No. 73,

Was taken from the table and amended, by striking out the word "taken," and inserting "paid," in the 4th line of section 2, and the bill as amended, ordered to be read a third time.

Mr. McIntyre moved that the committee of the Whole be discharged from the consideration of House bill No. 75, entitled,

A bill to establish a Female College.

Which motion prevailed, and the bill was made the special order for Wednesday next, at 10 o'clock.

Mr. Brown moved to take from the table,

A bill to provide for the continuing and completing the Michigan Asylums,

And that the same be made the special order of Monday evening next, at 7 o'clock, and every evening thereafter, until disposed of.

Which motion prevailed.

On motion of Mr. Tiffany,

House bill No. 18, being,

A bill relative to indictments,

Was taken from the table and amended, by adding the following as a new section:

"Sec. —. An indictment for larceny may obtain also a count for obtaining property by false pretences, or a count for embezzlement, or for receiving, having in possession, or aiding in concealing the same property, knowing it to have been stolen; and the jury may convict of either offence; and the jury who shall try the same, may find all or any of the persons indicted, guilty of either of the offences charged in the indictment."

The bill was then ordered to a third reading.

On motion of Mr. N. Power,

Resolved, That the bill for the establishment of a State Agricultural School be made the special order for Monday next, at 2 o'clock P. M.

Mr. Mills, pursuant to previous notice, asked and obtained leave to introduce,

A bill to change the name of the First Presbyterian Society in the township of Grass Lake, county of Jackson, State of Michigan.

Which was read a first and second time, and laid on the table.

Mr. Fitch gave notice that on to-morrow or some subsequent day he would ask leave to introduce,

A bill to define the powers of institutions of learning to confer degrees and grant diplomas.

Mr. Ives gave notice that he would, on some future day, ask leave to introduce,

A joint resolution for the relief of Emery Bea's.

Mr. Ashmun, pursuant to previous notice, asked leave to introduce,

A bill to amend an act entitled an act to incorporate the Saginaw and Genesee Plank Road Company, approved March 8, 1850; also,

A bill to provide for the disposition of the swamp lands in the counties of Midland and Saginaw.

Leave being granted, the bills were read a first and second time, and the first referred to the committee on Banks and Incorporations, and the last to the committee on Public Lands.

On motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

On motion of Mr. Littlejohn,

House resolution No. 3 was taken from the table and ordered to a third reading.

Mr. Church moved to discharge the committee of the Whole from the bill (No. 63 of the House,) to authorize Isaac Turner to purchase certain State Building Lands, and recommit the same to the committee on Public Lands, with instructions to amend the same by striking out the words "Primary School Lands," in the 4th line of section 1, and inserting therefor the words "State Building Lands," and to report the same back thus amended, forthwith.

Which motion prevailed.

Mr. Sanborn thereupon made the following report:

The committee on Public Lands, to whom was referred,

House bill No. 63, authorizing Isaac Turner to purchase certain State Building Lands, with instructions to amend the same by striking out the words "Primary School Lands," in the 4th line of section 1, would report that they have so amended the said bill, and ask to be discharged, &c.

Report accepted, committee discharged, amendments concurred in, and (the rules being suspended,) the bill was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlain,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
Du Puy,

Mr. Hall,
Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luca,
McIntyre,
Middlesworth,

Mr. Pettit,
N. Power,
P. Power,
Reynolds,
Rosa,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward.

Eddy,
Edwards,
Ewell,
Fitch,
Gilman,

Miller,
Mills,
Moorman,
Noble,
Parsons,

Wells,
Wendall,
White,
Whitmore,
Speaker, 60

NAYS:

0

On motion of Mr. Church,

The bill was ordered by a vote of two-thirds of all the members elect to take immediate effect.

Mr. McIntyre moved to discharge the committee of the Whole from the bill to provide for and establish a system of Primary Schools, whereby a school shall be kept without charge for tuition, at least three months in each year, in every school district.

Which motion prevailed.

Mr. McIntyre moved that the rule be suspended, and that the bill be read a third time.

Adopted.

Mr. McIntyre moved to amend the bill by striking out sections 1 and 2, and inserting in lieu thereof the following:

"Sec. 1. That the District Board of every School District are hereby authorized, and it is made their duty, on or before the last day of September in each year, to determine and fix upon a sum which, with or without the sum to be received by such District from the income of the Primary School fund, and from all other sources as such Board may determine, shall be sufficient to keep and maintain a school in such District by a qualified teacher, without charge for tuition, at least three months in each year, and to report the same to the supervisor of the township or townships in which such District shall be situated, between the last Monday of September and the second Monday of October in each year, under a penalty of fifty dollars upon each member of such District Board who shall willfully neglect or refuse to comply with the provisions of this section. And it shall be the duty of every such supervisor to assess the sum thus reported to him, with the other taxes voted by such District, or chargeable against such District, upon the taxable property of such District, to place the same on the township assessment roll in the column for school taxes, and the same shall be collected and returned by the township treasurer, in the same manner and for the same compensation as township taxes.

Sec. 2. It shall be the duty of such District Board to employ and pay a qualified teacher with the money belonging to such District to teach a school in such District, without charge for tuition, at least three months in each year, and to see that such school is kept and provided with everything necessary for that purpose: *Provided*, That all instruction in said school shall be conducted in the English language."

The bill was then read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | | |
|---------------|-----------------|---------------|----|
| Mr. Atwood, | Mr. Judd, | Mr. P. Power, | |
| Aahmun, | King, | Reynolds, | |
| Barclay, | Kirkland, | Ross, | |
| Beebe, | Lapham, | Sanborn, | |
| Beecher, | Littlejohn, | St. Aubin, | |
| Brownell, | Lomison, | Sherman, | |
| Cady, | Lovell, | Shier, | |
| Chamberlin, | Luce, | Smith, | |
| Chapel, | McIntyre, | Sutherland, | |
| Church, | Middleworth, | Tompkins, | |
| J. Divine, | Miller, | Ward, | |
| R. K. Divine, | Mills, | Wells, | |
| Duncan, | D. N. Montague, | Wendell, | |
| DuPuy, | Moorman, | White, | |
| Gilman, | Noble, | Whitmore, | |
| Gregory, | Parsons, | Williams, | |
| Hall, | Pettit, | Speaker, | |
| Ives, | N. Power, | | 53 |

NAYS.

| | | | |
|------------|------------|------------|---|
| Mr. Brown, | Mr. Ewell, | Mr. Hixon, | |
| Eddy, | Hathaway, | Strang, | 6 |

The bill ordered by a two-thirds vote to take immediate effect.

Mr. Littlejohn moved to take from the table,

A bill to establish a House of Correction for Juvenile offenders.

Which prevailed.

Mr. Fitch moved to add an additional section to stand as section fourteen:

"Sec. 14. The said House of Refuge shall be located at or near Lansing, in Ingham county."

Mr. Ashmun moved to strike out the words "at or near Lansing," and insert "at or near St. James, on the Beaver Islands."

Lost.

Mr. Smith moved to strike out the words "at or near Lansing," and insert "township of Pine River," in Gratiot county.

Mr. Edwards moved to reconsider the vote filling the blank in section 1, line 3d, with "twenty-five thousand."

Lost.

The question recurring upon the motion of Mr. Fitch, it was lost, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Beebe,
Beecher,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Fitch,
Hall,

Mr. Hathaway.
Hurd,
Ives,
Kirkland,
Lomison,
Miller,
D. N. Montague,
H. Montague,
Parker,
Parsons,

Mr. Pettit,
N. Power,
Reynolds,
Sherman,
Shier,
Stout,
Strang,
Sutherland,
Wilbur,
Speaker,

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NAYS.

Mr. Ashmun
Barclay,
Brown,
Brownell,
Chamberlin,
Eddy,
Edwards,
Ewell,
Gilman,
Gregory,
Hixon,
Judd,

Mr. King,
Littlejohn.
Lovell,
Luce,
McIntyre,
Middlesworth,
Moorman,
Mussey,
Noble,
P. Power.
Ralph

Mr. Ross,
Sanborn,
St. Aubin,
Smith,
Tiffany,
Tompkins,
Wells,
Wendell,
White,
Whitmore,
Williams,

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The question being upon the passage of the bill, it was passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brownell,
Chamberlin,
Church,
J. Divine

Mr. Judd,
King,
Kirkland,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth.

Mr. P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Shier,
Smith,
Stout,

R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gilman,
Gregory,
Hall,
Hixon,
Hurd,
Ives,

Miller,
Mills,
D. N. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,
N. Power,

Strang,
Sutherland,
Tiffany,
Tompkins,
Wells,
Weudell,
White,
Whitmore,
Wilbur,
Speaker,

58

NAYS.

Mr. Chapel,
Ewell,

Mr. Fitch,
Hathaway,

Mr. Sherman.

5

On motion of Mr. Littlejohn,

The bill was ordered to take immediate effect.

On motion of Mr. Edwards,

Resolved, That when this House adjourns, it adjourns to meet this evening at 7 o'clock.

Adopted.

The Chair, with the unanimous consent of the House, announced and read the following message from the Senate:

SENATE CHAMBER,
Lansing, February 3, 1855. }

SIR—I am instructed by the Senate to transmit to the House of Representatives, Senate bill No. 46,

A bill to authorize the consolidation of the Detroit and Pontiac and the Oakland and Ottawa Railroad Companies, so as to form a continuous line from Detroit to Lake Michigan, under the name of the Detroit and Milwaukee Railway Company,

And to respectfully inform you that the Senate have non-concurred in the House amendment thereto.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Mr. Church moved that the House insist upon the amendment
Which motion prevailed.

On motion of Mr. Littlejohn,

Resolved, That the committee on Engrossment and Enrollment be authorized to employ for the residue of the session such additional clerks

as they may deem necessary to insure a prompt discharge of the duties of said committee.

Mr. Brownell moved that the committee of the Whole be discharged from further consideration of House bill No. 87.

Carried.

Mr. McIntyre moved that the rules be suspended, and the bill put upon its immediate passage.

Motion prevailed.

Mr. Littlejohn moved to amend by adding the following to the end of the first section: "And who have resided therein for the period of three months next preceding the time of voting."

Carried.

Mr. Gregory moved to amend the second section by striking out of the second line the words, "And there shall not be at least seven white male citizens residing in such district."

Carried.

Mr. Stout moved to amend by striking out the word "male," in the third line of section 1.

Carried.

The bill was then read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Fitch,
Gilman,
Gregory,
Hall,

Mr. Hathaway,
Hurd,
Judd,
King,
Kirkland,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Mooman,
Mussey,

Mr. Noble,
Parker,
Parsons,
Pettit,
N. Power,
P. Power,
Ralph,
Rosa,
Shier,
Stout,
Strang,
Sutherland,
Tompkins,
Wells,
White,
Whitmore,
Williams,

NAYS.

Mr. Atwood,
Chamberlin,
Ewell,
Hixon,

Mr. Ives,
Littlejohn,
Reynolds,
St. Aubin,

Mr. Sherman,
Smith,
Wendell,
Wilbur,

12

Mr. Beebe moved to reconsider the vote.

Lost.

The bill was ordered, by a two-thirds vote, to take immediate effect.

On motion of Mr. Ashmun,

House bill No. 77 was taken from the committee of the Whole.

The blank in line 5, section 2, was filled with "thirty-first," and the bill was ordered read a third time.

Mr. Church moved that a committee of conference, consisting of three, be appointed by the Speaker, to act with a like committee on the part of the Senate, upon the matter of difference between the said House and Senate on the amendments of the House to the bill providing for the consolidation of the Detroit & Pontiac and the Oakland and Ottawa Railroad Companies.

Carried.

The Chair appointed Messrs. Church, White and Judd.

Mr. Pettit moved that the committee of the Whole be discharged from the further consideration of House bill No. 85.

Carried.

The bill was ordered to a third reading.

On motion of Mr. Pettit,

The rules were suspended, and the bill read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
R. K. Divine,
Duncan,
Eddy,
Edwards,
Gilman,

Mr. King,
Kirkland,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,

Mr. P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Sherman,
Shier,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,
White,

Hall,
Hathaway,
Hurd,
Judd,

Parker,
Pettit,
N. Power,

Wilbur,
Williams,
Speaker,

49

NAYS.

Mr. Ashmun,
Chapel,
Ewell,
Gregory,
Hixon,

Mr. Miller,
Noble,
Parsons,
St. Aubin,

Mr. Smith,
Stout,
Strang,
Whitmore,

13

On motion of Mr. White,

The bill was ordered to take immediate effect.

On motion of Mr. White,

The order of business was suspended, and the House entered upon the

THIRD READING OF BILLS.

Senate bill No. 45, being,

A bill to authorize the formation of Gas Light Companies,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Brown,
Brownell,
Cady,
Chamberlain,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
Eddy,
Edwards,
Ewell,
Fitch,
Gilman,
Gregory,
Hall,

Mr. Hixon,
Hurd,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Shier,
Smith,
Stout,
Strang,
Tiffany,
Tompkins,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

60

0

NAYS.

House bill No. 37, being,

A bill to authorize the Water Commissioners of the city of Detroit to loan money for the purpose of extending and improving the Water Works of said city,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Parsons, |
| Aahmun, | Hurd, | Pettit, |
| Barclay, | Ives, | N. Power, |
| Beebe, | Judd, | Ralph, |
| Brown, | Kirkland, | Reynolds, |
| Brownell, | Lapham, | Ross, |
| Chamberlin, | Littlejohn, | Sanborn, |
| Church, | Lomison, | St. Aubin, |
| J. Divine, | Lovell, | Smith, |
| R. K. Divine, | Luce, | Stout, |
| Duncan, | McIntyre, | Strang, |
| DuPuy, | Middlesworth, | Tompkins, |
| Eddy, | Miller, | Wells, |
| Edwards, | Mills, | Wendell, |
| Ewell, | D. N. Montague, | White, |
| Gilman, | H. Montague, | Whitmore, |
| Gregory, | Moorman, | Williams, |
| Hall, | Mussey, | Speaker, |
| Hathaway, | Noble, | |

56

NAYS.

0.

The bill was ordered to take immediate effect.

A bill to amend an act entitled an act to incorporate the village of Kalamazoo,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Hall, | Mr. Parsons, |
| Aahmun, | Hurd, | Pettit, |
| Barclay, | Judd, | N. Power, |
| Beebe, | Kirkland, | P. Power, |
| Brown, | Lapham, | Ralph, |
| Brownell, | Littlejohn, | Reynolds, |
| Cady, | Lomison, | Ross, |
| Chamberlin, | Lovell, | Sanborn, |
| Chapel, | Luce, | St. Aubin, |
| Church, | McIntyre, | Smith, |
| J. Divine, | Middlesworth, | Strang, |
| R. K. Divine, | Miller, | Tiffany, |
| Duncan, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Wells, |

Eddy,
Edwards,
Fitch,
Gilman,
Gregory,

H. Montague,
Moorman,
Mussey,
Noble,
Parker,

Wendell,
White,
Whitmore,
Williams,
Speaker, 60

NAYS.

Mr. Ewell,
Hixon,

Mr. Ives,
King,

Mr. Stout, 5

The bill was ordered to take immediate effect.

Joint resolution authorizing the Board of State Auditors to adjust the claim of the State against Charles D. Holmes and Patterson P. Holmes,

Was read a third time, and passed by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Edwards,
Fitch,
Gilman,
Gregory,
Hall,
Hurd,

Mr. Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Smith,
Stout,
Strang,
Tompkins,
Wells,
Wendell,
White,
Wilbur,
Williams,
Speaker, 56

NAYS.

Mr. Atwood,
Chamberlain,
Eddy,

Mr. Ewell,
Hixon,
Mills,

Mr. D. N. Montague,
Tiffany, 8

On motion of Mr. Hall,

The resolution was ordered to take immediate effect.

A bill to authorize Charles C. Trowbridge to discharge a certain mortgage,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gilman,
Gregory,

Mr. Hall,
Hurd,
Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,

Mr. Parsona,
Pettit,
N. Power,
P. Power,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Smith,
Stout,
Tiffany,
Tompkins,
Wells,
White,
Whitmore,
Williams,

52

NAYS.

Mr. Chapel,
Ewell,

Mr. Hixon,
Strang,

Mr. Wendell,

5

The bill was ordered to take immediate effect.

A bill supplementary to an act passed March 21, 1837, amendatory of an act to incorporate the Michigan and Huron Institute,

Was read a third time, when

Mr. McIntyre moved to commit the bill to the committee on Education, with instructions to amend the same by striking out the word "University," wherever it occurs, and inserting in lieu thereof the word "College," and to report the bill to the House thus amended forthwith.

Which motion was carried, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
DuPuy,
Fitch,
Hixon,
Ives,

Mr. Kirkland,
Lapham,
Littlejohn,
Lomison,
Luce,
McIntyre,
Miller,
Moorman,
Mussey,
Parsona,
Pettit,
P. Power,

Mr. Ross,
Sanborn,
St. Aubin,
Sherman,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
White,
Whitmore,

Judd,
King,

Ralph,
Reynolds,

Williams,
Speaker, 42

NAYS.

Mr. Atwood,
Barclay,
Beecher,
Brown,
Chamberlin,
Duncan,
Eddy,
Edwards,

Mr. Ewell,
Gilman,
Gregory,
Hall,
Hathaway,
Lovell,
Middlesworth,
Mills,

Mr. D. N. Montague,
H. Montague,
Noble,
Parker,
N. Power,
Wendell,
Willbur, 23

On motion,

The House adjourned.

EVENING SESSION.

7 o'clock P. M.

House was called to order.

Roll called; a quorum present.

With the unanimous consent of the House, the Chair announced the following:

MESSAGE FROM THE OTHER HOUSE.

SENATE CHAMBER,
Lansing, February 3, 1855. }

To the Speaker of the House of Rep's:

SIR—I herewith return to your House, bill No. 26, being,

An act to amend the charter of the Port Huron and Lake Michigan Railroad Company, approved January 30, 1847,

To which the Senate have made an amendment, to stand as section 35; which has passed the Senate by a vote of two-thirds of all the Senators elect, and by a like vote ordered to take immediate effect, in all which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,
Sec'y of Senate.

Which message was laid on the table, and the amendment to the bill concurred in, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,
Gilman,
Gregory,
Hall,
Hathaway,
Hixon,

Mr. Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Sherman,
Shier,
Smith,
Stout,
Strang,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

62

NAYS.

0

The bill was ordered, by a two-thirds vote, to take immediate effect.

Mr. McIntyre made the following report:

The committee on Education, to whom was referred the Senate bill supplemental to an act passed March 21, 1837, amendatory of an act to incorporate the Michigan and Huron Institute, with instructions to amend the same by striking out the word "University," wherever it occurs, and inserting in lieu thereof the word "College," have, according to order, had the same under consideration, and instructed me to report that they have amended the same according to instructions, and report the same to the House thus amended; your committee, however, recommend that the word "University" be stricken out only where it first occurs in said bill.

Which report was accepted, committee discharged, amendments concurred in as recommended by the committee, and the bill passed, by yeas and nays, as follows:

YEAS

Mr. Atwood,
Barclay,
Beebe,
Beecher,

Mr. Ives,
Judd,
King,
Kirkland,

Mr. Pettit,
N. Power,
P. Power,
Ralph,

Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,
Gilman,
Gregory,
Hall,
Hathaway,
Hurd,

Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Tiffany,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

61

NAYS.

Mr. Ashmun,

Mr. Hixon,

Mr. Wendell,

3

The bill was then ordered, by a two-thirds vote, to take immediate effect.

House bill No. 43,

A bill to provide for reporting cases determined by the Supreme Court,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,
Gilman,
Gregory,
Hall,

Mr. Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Williams,

| | | | |
|-----------|----------|----------|----|
| Hathaway, | Parsons, | Speaker, | 69 |
| Hixon, | | | |
| NAYS. | | | 0 |

The bill was ordered, by a two-thirds vote, to take immediate effect.

House bill No. —, being,

A bill relative to indictments,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | | |
|---------------|-----------------|--------------|----|
| Er. Atwood, | Mr. Hathaway, | Mr. Parsons, | |
| Barclay, | Ives, | Pettit, | |
| Beebe, | Judd, | N. Power, | |
| Beecher, | King, | P. Power, | |
| Brown, | Kirkland, | Ralph, | |
| Brownell, | Lapham, | Reynolds, | |
| Cady, | Lomison, | Ross, | |
| Chapel, | Lovell, | Sanborn, | |
| Church, | Luce, | St. Aubin, | |
| J. Divine, | McIntyre, | Shier, | |
| R. K. Divine, | Middlesworth, | Stout, | |
| Duncan, | Miller, | Tiffany, | |
| DuPuy, | Mills, | Tompkins, | |
| Eddy, | D. N. Montague, | Ward, | |
| Edwards, | H. Montague, | Wells, | |
| Ewell, | Moorman, | Whitmore, | |
| Gilman, | Mussey, | Williams, | |
| Gregory, | Noble, | Speaker, | 56 |
| Hall, | Parker, | | |

NAYS.

| | | | |
|-------------|--------------|--------------|---|
| Mr. Ashmun, | Mr. Sherman, | Mr. Wendell, | |
| Hixon, | Smith, | White, | |
| Littlejohn, | Strang, | | 8 |

House bill No. 50, being,

A bill to incorporate the village of Trenton,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|---------------|------------|
| Mr. Atwood, | Mr. Kirkland, | Mr. Ralph, |
| Ashmun, | Lapham, | Reynolds, |
| Barclay, | Littlejohn, | Ross, |
| Beebe, | Lomison, | Sanborn, |
| Beecher, | Lovell, | St. Aubin, |
| Brown, | Luce, | Shier, |
| Brownell, | McIntyre, | Smith, |
| Cady, | Middlesworth, | Stout, |
| Chapel, | Miller, | Tiffany, |

Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gregory,
Hall,
King,

Mills,
D. N. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,
N. Power,
P. Power,

Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

56

NAYS.

Mr. Ewell,
Gilman,

Mr. Hixon,
Judd,

Mr. H. Montague,
Strang,

6

House bill No. 49, being,

A bill to incorporate the village of Dexter,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Aahmun,
Barclay,
Beebe,
Beecher,
Brownell,
Cady,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gregory,
Hall,
Ives,
Judd,

Mr. Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
H. Montague,
Moorman,
Noble,
Parker,
Parsons,
Pettit,
N. Power,
P. Power,

Mr. Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

54

NAYS.

Mr. Chapel,
Ewell,
Gilman,

Mr. Hixon,
D. N. Montague,

Mr. Strang,
Wilbur,

7

A bill to incorporate the village of Dundee,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,

Mr. King,
Kirkland,

Mr. Reynolds,
Ross,

Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gregory,
Hall,
Ives,
Judd,

Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,
N. Power,
P. Power,
Ralph,

Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

59

NAYS.

Mr. Ewell,
Gilman,

Mr. Hixon,

Mr. Strang,

4

A bill to incorporate the village of Almont,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gregory,
Hall,
Ives,
Judd,

Mr. King,
Kirkland,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,
N. Power,
P. Power,

Mr. Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

58

NAYS.

Mr. Ewell,
Gilman,

Mr. Hixon,
D. N. Montague,

Mr. Strang,

5

A bill to incorporate the village of Lexington,

Was read a third time, and passed by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gregory,
Hall,
Ives,
Judd,

Mr. King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Sherman,
Shier,
Smith,
Stout,
Sutherland,
Tiffany,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

58

NAYS.

Mr. Ewell,

Mr. Hixon,

Mr. Strang,

3

A bill to incorporate the village of Jonesville, in the county of Hillsdale,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Gregory,
Hall,

Mr. Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Mr. Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,

Ives,
Judd,
King,

Pettit,
N. Power,
P. Power,

Williams,
Speaker,

59

NAYS.

Mr. Ewell,
Gilman,

Mr. Hixon,

Mr. Strang,

4

On motion of Mr. Ralph,

The bill was ordered to take effect twenty days from and after its passage.

A bill to incorporate the village of Port Huron,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Aahmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,
Gregory,
Hall,
Ives,
Judd,
King,

Mr. Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,
N. Power,

Mr. P. Power,
Ralph,
Reynolds,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Tiffany,
Tompkins,
Ward,
Wells,
Weudell,
White,
Whitmore,
Williams,
Speaker,

56

NAYS.

Mr. Gilman,

Mr. Hixon,

Mr. Strang,

3

On motion of Mr. Sanborn,

The bill was ordered to take immediate effect.

A bill to incorporate the village of Dundee,

Was ordered, by a two-thirds vote, to take effect in 30 days from and after its passage.

The bill to incorporate the village of Lexington,

Was, by a like vote, ordered to take effect in 30 days from and after its passage.

The bill to incorporate the village of Almont,

Was, by a like vote, ordered to take immediate effect.

A bill to incorporate the village of Albion,

Was read a third time, when

Mr. Littlejohn moved to re commit the bill to the committee on Banks and Incorporations, with instructions to strike out the proviso of section 3.

Which motion prevailed.

A bill in relation to Insurance Companies and Insurance Agents,

Was read a third time, when

The unanimous consent of the House being given,

Mr. Littlejohn moved to strike out section 4.

Which motion prevailed.

The bill, as amended, was then passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Judd, | Mr. P. Power, |
| Aahmun, | King, | Ralph, |
| Barclay, | Kirkland, | Reynolds, |
| Beebe, | Lapham, | Ross, |
| Beecher, | Littlejohn | Sanborn, |
| Brown, | Lomison, | St. Aubin, |
| Brownell, | Lovell, | Sherman, |
| Chapel, | Luce, | Shier, |
| Church, | McIntyre, | Smith, |
| J. Divine, | Middlesworth, | Stout, |
| R. K. Divine, | Miller, | Strang, |
| Duncan, | Mills, | Sutherland, |
| DuPuy, | D. N. Montague, | Tiffany, |
| Eddy, | H. Montague, | Tompkins, |
| Edwards, | Moorman, | Ward, |
| Ewell, | Mussey, | Wells, |
| Gilman, | Noble, | Wendell, |
| Gregory, | Parker, | White, |
| Hall, | Parsons, | Whitmore, |
| Hathaway, | Pettit, | Williams, |
| Ives, | N. Power, | Speaker, |

62

NAYS.

0

Joint resolution in relation to the Railway of the Chippewa Portage Company,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|---------------|--------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Parsons, |
| Beecher, | Ives, | Pettit, |
| Brown, | Judd, | N. Power, |

Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gilman,
Hall,

Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
H. Montague,
Moorman,
Mussey,
Parker,

P. Power,
Ralph,
Reynolds,
Ross,
St. Aubin,
Sherman,
Sutherland,
Tompkins,
Wells,
Speaker,

41

NAYS.

Mr. Ashmun,
Barclay,
Beebe,
Brownell,
Ewell,
Gregory,
King,
McIntyre,

Mr. Miller,
D. N. Montague,
Noble,
Sanborn,
Shier,
Smith,
Stout,

Mr. Strang,
Tiffany,
Ward,
Wendell,
White,
Whitmore,
Williams,

22

Mr. McIntyre made the following report, (unanimous consent being given:)

The committee on Banks and Incorporations, to whom was referred the Senate bill, entitled an act to incorporate the village of Albion, with instructions to strike out the proviso in section 3, respectfully report that they have performed that duty, and report the bill thus amended, to the House, and request to be discharged from the further consideration of the same.

Report was accepted, committee discharged, and the amendment concurred in, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Brownell
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
Eddy,
Ewell,

Mr. Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Luce,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,

Mr. Reynolds,
Ross,
St. Aubin,
Sanborn,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,

Fitch,
Gilman,
Gregory,
Hall,
Hathaway,
Ives,

Parker,
Parsons,
Pettit,
N. Power,
P. Power,

Wendell,
White,
Whitmore,
Williams,
Speaker,

56

NAYS.

Mr. Barclay,

1

The bill, as amended, was then passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Fitch,
Gregory,
Hall,
Hathaway,
Ives,

Mr. Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Mr. Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

58

NAYS.

Mr. Ewell,

Mr. Gilman,

Mr. Strang,

3

The bill was ordered, by a two-thirds vote, to take immediate effect.

Senate bill No. 24, being,

A bill to authorize the Commissioner of the State Land Office to confirm the sale of certain lands,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,

Mr. Judd,
King,
Kirkland,
Lomison,
Lovell,
Luce,

Mr. Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,

Brownell,
Cady,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Fitch,
Gilman,
Gregory,
Hall,
Ives.

McIntyre,
Middlesworth,
Miller,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,
N. Power,
P. Power,

Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
Whitmore,
Speaker,

54

NAYS.

Mr. Chapel,
Eddy,

Mr. Ewell,

Mr. D. N. Montague,
4

Mr. Mussey moved to amend the title so to read as follows:

A bill for the relief of purchasers of, and settlers on, Swamp Lands—
Carried.

The bill was then ordered to take immediate effect.

Mr. Judd gave notice that he should, on Monday, move to reconsider the vote by which the joint resolution in relation to the railway of the Chippewa Portage Company was passed.

A bill to extend the time for the collection of taxes in the city of Detroit,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun
Barclay,
Beebe,
Brown,
Brownell,
Cady,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Ewell,
Fitch,
Gilman,

Mr. Ives,
Judd,
King,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Shier,
Tiffany,
Tompkins,
Wells,
Wendell,
White,
Williams,
Speaker,

45

NAYS.

Mr. Gregory,
Hall,
Miller,

Mr. St. Aubin,
Smith,

Mr. Strang,
Whitmore,

7

On motion of Mr. Wells,

The bill was ordered to take immediate effect.

Mr. Sutherland (unanimous consent being given,) presented a petition of A. H. Morrison and 119 others, for the formation of a new county, to be called Jefferson, to be divided from the present county of Berrien; also, a remonstrance against the same, of Phillip Gephart and 189 others.

Referred to the committee on Towns and Counties.

House bill No. 73, being,

A bill to authorize Mining Companies to subscribe and take stock in land or railroads, and to regulate taxation thereon,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | | |
|---------------|-----------------|---------------|----|
| Mr. Atwood, | Mr. Hall, | Mr. P. Power, | |
| Ashmun, | Ives, | Ross, | |
| Barclay, | Judd, | Sanborn, | |
| Beebe, | Kirkland, | St. Aubin, | |
| Beecher, | Lapham, | Sherman, | |
| Brown, | Lomison, | Shier, | |
| Brownell, | Lovell, | Smith, | |
| Cady, | Luce, | Stout, | |
| Chapel, | McIntyre, | Strang, | |
| Church, | Middlesworth, | Sutherland, | |
| J. Divine, | Miller, | Tompkins, | |
| R. K. Divine, | D. N. Montague, | Wells, | |
| Duncan, | H. Montague, | Wendell, | |
| Du Puy, | Noble, | White, | |
| Fitch, | Parker, | Whitmore, | |
| Gilman, | Parsons, | Williams, | |
| Gregory, | N. Power, | Speaker, | 51 |

NAYS.

| | | | |
|-----------|-----------|-------------|---|
| Mr. Eddy, | Mr. Hurd, | Mr. Pettit, | |
| Ewell, | Mussey, | Tiffany, | 6 |

On motion of Mr. Sherman,

The bill was ordered, by a two-thirds vote, to take immediate effect.

House bill No. 77, being,

A bill to amend an act to organize the county of Midland, approved March 29, 1850,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------|-----------|
| Mr. Atwood, | Mr. King, | Mr. Ross, |
| Ashmun, | Lapham, | Sanborn, |

| | | |
|---------------|-----------------|-------------|
| Barclay, | Littlejohn, | St. Aubin, |
| Beebe, | Lomison, | Sherman, |
| Brown, | Lovell, | Shier, |
| Brownell, | Luce, | Smith, |
| Cady, | McIntyre, | Stout, |
| Church, | Middlesworth, | Strang, |
| R. K. Divine, | Miller, | Sutherland, |
| Duncan, | D. N. Montague, | Tiffany, |
| DuPuy, | H. Montague, | Tompkins, |
| Eddy, | Moorman, | Wells, |
| Ewell, | Mussey, | Wendell, |
| Fitch, | Parker, | White, |
| Gregory, | Pettit, | Whitmore, |
| Hall, | N. Power, | Williams, |
| Ives, | P. Power, | Speaker, |
| Judd, | Reynolds, | 53 |

NAYS.

| | | | |
|-------------|-------------|------------|---|
| Mr. Chapel, | Mr. Gilman, | Mr. Noble, | 4 |
| J. Divine, | | | |

On motion of Mr. Ashmun,

The bill was ordered to take immediate effect, by a two-thirds vote.

House resolution No. 3, being,

Joint resolution relative to the claim of the Sault Ste. Marie Canal

Plank Road Company,

Was read a third time, and,

On motion of Mr. Tiffany,

Laid on the table.

House resolution No. 8, being,

Joint resolution relative to the claim of T. S. Atlee,

Was read a third time, when,

Mr. McIntyre moved to lay the resolution on the table.

Which motion prevailed.

Mr. Church moved to reconsider the vote to lay on the table.

During the pendency and discussion of which motion,

Mr. Beecher moved an adjournment.

Which motion to adjourn was lost.

Mr. Church withdrew the motion to reconsider.

A bill to repeal an act entitled an act to organize the county of Emmet, approved January 29, 1853,

Was announced for a third reading, and,

On motion of Mr. Church,

Laid on the table.

On motion,

The House adjourned till Monday morning, at 9 o'clock.

Lansing, Monday, February 5, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Donelson.

Roll called; a quorum present.

PETITIONS PRESENTED.

Mr. Parker presented the petition of Betsy P. Parker, Lucinda Knapp and 60 others, praying for an extension of the elective franchise.

Referred to the committee on Elections.

Mr. Cady: of A. C. Thayer and 9 others, to set off certain lands to compose School District No. 14.

Referred to the committee on Towns and Counties.

Mr. Pettit: of P. R. Phillips, S. T. Hill, Jr., R. McFarlin and Wm. Brockham, praying to be attached to the township of Essex, for township purposes.

Referred to the committee on Towns and Counties.

Mr. Atwood: of F. Schilling and 108 others, citizens of the township of Auchville, now attached to Tuscola county for judicial purposes, and Rogers, in Tuscola county, praying that the township of Auchville may be permanently annexed to Tuscola county.

Laid on the table.

Mr. Church: resolution adopted by the Kent County Institute relative to the use of Webster's Dictionary in common schools:

Resolved, That the introduction of Webster's Unabridged Quarto Dictionary into our common schools is a measure so obviously wise in itself, and of such public utility, that our State Legislature should take some action by which a copy of the work would be placed in every district school house in the State.

Laid on the table.

Mr. Tiffany: petition of Thomas Vantuyl and 44 others, of Lenawee county, for a registration law.

Referred to the committee on Elections.

Mr. Strang: of Metard Metivier and 14 others, for the organization of a new township in Cheboygan county.

Laid on the table.

Mr. Ives: of Polly Waters and 27 others, asking for relief in the matter of purchase of a certain parcel of swamp land.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. Tiffany made the following report:

The committee on the Judiciary have instructed me to report a bill to amend chapter 126 of the revised statutes of 1846, relative to the lien of mechanics and others, and recommend its passage.

Report accepted, committee discharged, and the bill read a first and second time, ordered printed, referred to the committee of the Whole and placed on the general order.

Also the following:

The committee on the Judiciary, to whom was referred,

A bill to increase the pay of Justices of the Peace,

Have considered the same, and have instructed me to report the same to the House, with a recommend that it do pass, and ask to be discharged, &c.

Report accepted, committee discharged, and the bill ordered printed, referred to the committee of the Whole and placed on the general order.

Mr. Edwards, from the committee on Militia, submitted the following report:

Your committee, to whom has been referred the petition of Seba Murphy and 180 others; of Frank Hunt and 200 others, asking for a tax to be imposed upon all citizens liable to do military duty; also, the communication of one Gen. Benj. F. Cox, deploring at very great length and in terms indicating a powerful pressure of military enthusiasm in his patriotic heart, the low state of military fervor, and the deficiencies of the military system in our State; also, a resolution of the House, adopted, as appears, (by endorsement thereon,) on the 31st of January last, and couched in such remarkable language, and covering so much ground, that it cannot be referred to except by copying it *verbatim*, and is therefore here stated, viz:

Resolved, That the committee on the Militia be instructed to devise and report by bill or otherwise, of reviving the old and now diminished military of our forefathers, and especially some plan of militia mustering, with the usual accompaniments of cider and gingerbread, and also, especially, the style and dimensions of the canes and umbrellas which may be used at such musterings for purposes of drill, and also the length and color of tompons, and other fixings, and especially the proper lengths of our cat's tail.

As also other divers petitions and communications on this important subject, which need not be here any more particularly referred to, do most respectfully report, that they have felt burdened and oppressed with the great weight and responsibility which has, through these various documents, been thrown upon them; that they feel, in all respects, as patriotically disposed as any one of the gentlemen whose names have been before them, and are themselves grieved that much of the patriotic spirit that characterized our forefathers (who were the middle generation between us and the revolution,) has died out of the hearts of their degenerate sons, and they fully sympathize with the memorialists in these respects.

True it is; alas! too true, that the rub-a-dub of the limping drummer no longer summons the men of the commonwealth to the annual drill upon the village green. True it is that our upright men are no longer required to walk still more upright in the ranks, shouldering an umbrella, walking-cane or fire poker, as a substitute for the more appalling musket. True it is that they are no longer required to perform the most unheard of evolutions, (styled, in military phrase, drill,) winding up with a grand charge of imaginary bayonets on the town pump or putting to sudden flight the meditative cow, as she winds her way home from the pasture. True it is that the sale of cider and gingerbread has been materially curtailed by this untoward state of military discipline, and the manufacturers thereof been compelled to abandon their vocation, and betake themselves to other pursuits. True it is that the young men of our day have thus been deprived of the opportunity of decorating themselves with all the pomp and circumstance of glorious war, and carrying their bloody conquests into the hearts of the gentler sex, who have ever been vanquished by the nod of a pompon, or the fiction of a scabbard. True it is, that thus the nation has been

led to give herself up to all the ease of an inglorious peace, and the sound of the trumpet or the neigh of the war horse is no longer heard upon our hills, inasmuch as the sword has been turned into a ploughshare, and the spear into a pruning hook. Yea, the hearts of the people seem determinedly set towards the plough, the loom, and the anvil, nor will they be turned aside therefrom, or seduced into a re-organization of that system which in one day in every year converted the butcher into a Brigadier General, the scholar into a private, armed with a cotton umbrella, and filled the hearts of all with patriotism, and—their bellies with gingerbread. Yet, notwithstanding all this distaste for the trappings of war, this aversion to shine in tinsel and wear brilliant pompions for a day, your committee cannot observe that the sons of Michigan are less loyal to the national standard, less prompt to face danger at the cannon's mouth, less speedy in their efforts to repel an insult to their country's flag, than their fathers were before them.

Let it but be announced that their country is in need of soldiers to repel an invading foe, or punish a delinquent enemy, and their hands are held out at once for the weapons of war, and they crowd the ranks of the army.

The history of the conquest of Mexico, reveals how ready were the brave sons of Michigan to deal with the enemies of their country, and carry the fame of the Wolverines into the very heart of Mexico. They lack not patriotism nor courage, nor a self-sacrificing spirit, whenever the same is needed to be exercised, nor do they need the drill of the Butcher Brigadier, or the Tailor Colonel, to teach their hands to handle the instruments of war, nor their fingers to fight; they take to the use of the musket, the rifle or the sword, when the enemy is in sight, as readily as a duck to the water, or a Legislator to his three dollars per diem, when the days of his labor are o'er. On the whole, then, although by the abandonment of the annual drill, the boys are disappointed of one day's additional holiday, the old ladies of the exercise of a little vanity in beholding the accoutred forms of their manly sons, and the village stomach of its wonted quota of cider and gingerbread; still your committee feel disposed to make the following recommendation, and request the House, by joint resolution, to carry the same into effect, viz: That all citizens of the State, and especially Gen. Benj. F. Cox, who

are desirous of exhibiting their forms in uniform, their courage in the sham fight, or their skill in evolutions, be permitted, once in each year, to assemble for the purpose of military *drill* upon their village or city square, as our forefathers were wont to do in their ancient mustering, and that they be allowed the use of the State arms, on such occasions, all amunitions being expressly prohibited: *Provided always*, And this privilege is permitted on this express condition, that each and all of such persons so availing themselves of this license, be required on every such military display, to pay into the township treasury, one dollar each, for the use of primary schools, and that the request of the several petitioners be denied: and with this recommendation, your committee respectfully ask to be discharged from the further consideration of the subject.

Which was accepted, committee discharged, and the report laid on the table and ordered printed.

Mr. Sanborn, from the committee on Public Lands, submitted a report on the subject of the Grand Rapids Canal, accompanied by a statement of John Almy, Commissioner.

Which report was accepted, and the report and accompanying document laid on the table, and ordered printed.

Also, the following report:

The committee on Public Lands have had under consideration the petition of Malissa Palmer, for the relief of the heirs of Beaumont Clark, through their chairman report the same back to the House with a joint resolution, and recommend that the same do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the joint resolution laid on the table.

Mr. Beecher, according to previous notice, asked and obtained leave to introduce,

A bill to amend the charter of the city of Adrian.

Which bill was read a first and second time, and referred to the committee on Banks and Incorporations.

Mr. Stout made the following report:

The committee on Engrossment and Enrollment, report as correctly engrossed, House bill No. 35, entitled

A bill to establish a House of Correction for juvenile offenders.

Also, as correctly enrolled, signed, and presented on Saturday to the Governor for approval,

An act to prevent the manufacture and sale of spirituous and intoxicating liquors as a beverage.

Mr. Parsons asked and obtained leave to introduce,

Joint resolution relative to an investigation of claims audited by the late Board of State Auditors.

The resolution was read a first and second time, and

On motion of Mr. Parsons,

The rule was suspended and the resolution ordered to a third reading.

On motion of Mr. Littlejohn,

The rule was suspended, and the resolution read a third time and passed, by the following vote:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,
Gilman,
Gregory,
Hall,

Mr. Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
H. Montague,
Moorman,
Mussay,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Ralph
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

70

NAYS.

Mr. D. N. Montague,

1

On motion of Mr. Chatfield,

A bill to amend section 1 of act No. 252 of the session laws of 1850,

Was taken from the table and (the rules being suspended) ordered to a third reading.

Mr. Chatfield asked and obtained unanimous leave to introduce,

A bill establishing the office of an assistant supervisor for the township of Eaton Rapids, in the county of Eaton, and defining his duties and powers.

Which bill was read a first and second time, and referred to the committee on the Judiciary.

On motion of Mr. Parker,

No. 110 of the general order, was taken from the committee of the Whole, and laid on the table.

On motion of Mr. Whitmore,

The vote to lay on the table was reconsidered.

The bill was then ordered to a third reading.

On motion of Mr. Mussey,

House bill No. 61 was taken from the committee of the Whole and ordered to a third reading.

Mr. Ives asked and obtained leave to introduce, pursuant to previous notice,

Joint resolution for the relief of Emery Beals.

The joint resolution was read a first and second time, and laid on the table.

On motion of Mr. McIntyre,

House bill No. 65 was taken from the committee of the Whole, laid on the table, and ordered to a third reading.

Mr. Judd moved to reconsider the vote by which the joint resolution in violation to the Railway of the Chippewa Portage Company was passed.

Which motion prevailed.

The hour of special order having arrived, the same was announced by the Speaker.

On motion of Mr. Church,

The special order was postponed until 2 o'clock.

Mr. Judd moved to re-commit the joint resolution to the committee on Banks and Incorporations.

Mr. Littlejohn moved to amend the motion to re-commit, by instructing said committee to strike out the words "reconstruct and relay," wherever they occur, and insert the word "relocate," in lieu thereof.

Which motion was withdrawn, and

Mr. Parsons moved to refer the joint resolution to the committee on Banks and Incorporations, with instructions to amend the same so as to give the right of way to permit the railroad to be laid down or re-laid and maintained, at or near the place where it now is, so that the same shall not interfere with the canal.

Pending which,

Mr. Ashmun moved to indefinitely postpone the whole subject.

Which motion was lost, by yeas and nays, as follows:

YEAS.

| | | | |
|-------------|--------------|------------|----|
| Mr. Ashmun, | Mr. Miller, | Mr. Shier, | |
| Barclay, | H. Montague, | Stout, | |
| Brownell, | Mussey, | Ward, | |
| Gregory, | Pettit, | Wells, | |
| Hall, | P. Power, | Whitmore, | |
| Hurd, | Ralph, | | 17 |

NAYS.

| | | | |
|---------------|-----------------|--------------|----|
| Mr. Atwood, | Mr. Hathaway, | Mr. Parsons, | |
| Beebe, | Hixon, | N. Power, | |
| Beecher, | Ives, | Reynolds, | |
| Brown, | Judd, | Ross, | |
| Chamberlin, | King, | Sanborn, | |
| Chapel, | Kirkland, | St. Aubin, | |
| Chatfield, | Lapham, | Sherman, | |
| Church, | Littlejohn, | Smith, | |
| J. Divine, | Lomison, | Strang, | |
| R. K. Divine, | Lovell, | Sutherland, | |
| Duncan, | Luce, | Tiffany, | |
| Eddy, | McIntyre, | Tompkins, | |
| Edwards, | Middlesworth, | Wendell, | |
| Enos, | D. N. Montague, | White, | |
| Ewell, | Moorman, | Willbur, | |
| Fitch, | Noble, | Williams, | |
| Gilman, | Parker, | Speaker, | 51 |

The question being on the amendment of Mr. Parsons,

The same was lost.

The motion to re-commit was then adopted.

Mr. Church moved to reconsider the vote by which a bill to establish a House of Correction for juvenile offenders was passed.

Which motion prevailed, Mr. Fitch calling for the yeas and nays, by the following vote:

YEAS

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Chatfield,
Church,
J. Divine,
Duncan,
Fitch,

Mr. Hall,
Hathaway,
Hurd,
Miller,
D. N. Montague,
H. Montague,
Parker,
Parsons,
Pettit,
N. Power,
Reynolds,

Mr. Ross,
Sanborn,
Sherman,
Shier,
Stout,
Strang,
Sutherland,
Wendell,
White,
Wilbur,
Speaker, 33

NAYS.

Mr. Brownell,
Chamberlin,
DuPuy,
Eddy,
Edwards,
Ewell,
Gilman,
Gregory,
Hixon,
Judd,
King,

Mr. Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Mills,
Moorman,
Mussey,

Mr. Noble,
P. Power,
Ralph,
Smith,
Tiffany,
Tompkins,
Ward,
Wells,
Whitmore,
Williams,

31

Mr. Fitch moved to re-commit the bill to the committee on State Affairs, with instructions to amend the bill as follows, and report back immediately:

Sec. 12. The said Board of Control shall locate the said House of Correction, at or near Lansing, in Ingham county: *Provided*, A suitable place of land of not less than twenty acres shall be donated for the purpose, free of all charge to the State.

The motion being supported, Mr. Fitch called for the previous question.

Which call was sustained, by yeas and nays, as follows:

YEAS.

Er. Atwood,
Ashmun,
Barclay,
Beebe,

Mr. Gilman,
Hall,
Hathaway,
Hurd,

Mr. Parsons,
Pettit,
N. Power,
Reynolds,

Beecher,
Brown,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Enos,
Ewell,
Fitch,

Ives,
Kirkland,
Lapham,
Lomison,
Luca,
McIntyre,
Miller,
Mills,
D. N. Montague,
H. Montague,
Parker,

Ross,
Sherman,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wilbur,
Williams,
Speaker,

46

NAYS.

Mr. Brownell,
Eddy,
Edwards,
Gregory,
Hixon,
Judd,
King,

Mr. Littlejohn,
Lovell,
Middlesworth,
Moorman,
Mussey,
Noble,
P. Power,

Mr. Ralph,
Smith,
Ward,
Wells,
White,
Whitmore,

21

The motion to re-commit, (being the main question,) prevailed by the following vote, Mr. Chapel calling for the yeas and nays:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Enos,

Mr. Fitch,
Gilman,
Hall,
Hathaway,
Hurd,
Ives,
Kirkland,
Lapham,
Lomison,
D. N. Montague,
H. Montague,
Parker,
Parsons,
Pettit,

Mr. N. Power,
Ralph,
Reyno'ds,
Ross,
Sanborn,
Sherman,
Shier,
Stout,
Strang,
Sutherland,
White,
Wilbur,
Williams,
Speaker,

42

NAYS.

Mr. Brownell,
Eddy,
Edwards,
Ewell,
Gregory,
Hixon,
Judd,
King,

Mr. Littlejohn,
Lovell,
Luca,
McIntyre,
Middlesworth,
Moorman,
Mussey,
Noble,

Mr. P. Power,
St Aubin,
Smith,
Tompkins,
Ward,
Wells,
Whitmore,

23

Mr. McIntyre moved that the committee of the Whole be discharged from the further consideration of House bill No. 80, entitled,

A bill to supply every school district in the State, with Noah Webster's Unabridged Dictionary of the English language.

Which motion prevailed.

On motion of Mr. McIntyre,

The following amendments were adopted:

1. Amend section 1, by inserting in line one, section one, between the words "several townships," the words "cities and."

2. Insert in line 2, of section 1, the word "Primary," before the word "School."

3. Strike out the word "district," in the third line of section one, and insert in lieu thereof the words "receiving aid from the income of the Primary School fund."

4. Insert in line 2 of section 1, between the words "respective" and "townships," the words "cities and."

5. Insert in line 3 of section 1, after the word "language," the following: "at a price not exceeding four dollars for each copy."

6. Amend section 1, line 5, by striking out the word "township," where it first occurs, and inserting between the words "their" and "township," in the same line, the words "cities or."

7. Amend section 2 by striking out the word "copy," in the second line of said section, and inserting in lieu thereof the words "sufficient number of copies."

8. Amend section 2, by inserting in line 2 of said section, after the word "district," the following: "to supply each school in such district, receiving aid from the income of the Primary School fund."

9. Amend section 3, by striking out of line 3 the words "teacher or to such one of the teachers," and inserting in lieu thereof, the word "teachers of the several Primary Schools."

10. Strike out of line 4, in section 3, the words "as he shall deem best for the interests of the districts."

11. Amend section 3 by adding the letter "s" to the word "school," where it occurs in line 4 and in line 5; also, by adding the letter "s" to the word "teacher," in 5th line of section 3.

Add the following, to stand as section 4:

"Sec. 4. The provisions of this act shall apply to the several schools in the city of Detroit, organized and maintained by the Board of Education in said city, so that every such school shall be furnished with said dictionary, as is hereinbefore provided, and also to all such other Primary, Free, or District Schools in said city receiving public money, as are not included in the other provisions of this act."

Which amendments,

On motion of Mr. Wells,

Were concurred in.

Mr. Luce moved to strike out the word "and required," in the second line of the first section.

Lost.

Mr. Whitmore moved to amend section 1, line 4, by inserting after the word "language," the following: "and one copy of Baldwin's Pronouncing Gazetteer."

Withdrawn.

Mr. Chatfield moved to strike out all after the enacting clause.

Withdrawn.

The motion to recommit was lost.

Mr. Gregory moved to recommit the bill with instructions to so modify it that the funds for the purchase of said dictionary be raised by taxation, and not from the library fund.

Lost.

Mr. Gregory moved to amend the first section by inserting in the 3d line, after the word "townships," the following: "and each fractional School District that makes its annual report thereto."

Lost.

The bill was then ordered to be engrossed for a third reading.

Mr. Wilbur moved that the surplus funds of the State be loaned to banks at not less than six per cent. per annum, and that a special committee be appointed to report a bill to that effect forthwith.

Mr. McIntyre stated that a bill of like character was before the Senate, and the matter could be reached when the same came down to the House.

On motion of Mr. Wendell,

A bill to repeal an act entitled an act to organize the county of Emmet, approved January 29, 1853; also,

A bill to organize the county of Emmet, and certain townships therein.

A bill to define the county of Charlevoix, and to organize certain townships therein,

Were severally taken from the table and ordered to a third reading.

On motion of Mr. Wendell,

A bill to organize the county of Beaver Island,

Was taken from the table, when,

On motion of Mr. Strang,

The bill was amended as follows:

Strike out "Beaver Island" in section 1, and insert "Manitue."

Strike out "Beaver Island" in section 2, and insert "Manitue."

Strike out of section 2 the words "first Tuesday of June," and insert "third Tuesday of April."

Amend section 3 by inserting after the word "Michigan," the words, "except townships thirty-seven and the south half of thirty-eight north, of ranges ten and eleven west."

Strike out "on the first Tuesday of May next," at the end of section three.

Strike out of section 4 the words, "the township of Peaine," and insert "Beaver Island."

Strike out all after the word "held," in section 4, and insert the words, "at the school-house at Galilee."

Strike out all after the word "school-house," in section 5.

Strike out the words "Fox Island," where they second occur in section 5, and insert the word "Patmos."

Strike out the words, "on the first Tuesday in May next," in section 6.

Strike out the words "Beaver Island," and insert "Manitue," in section 7.

Mr. Moorman asked and obtained leave to introduce,

A bill to provide for the visitation of Schools and Seminaries.

Which was read a first and second time, and referred to the committee on the Judiciary.

Mr. N. Power offered the following:

Resolved, That the joint resolutions now before this House shall be made the special order of business for this evening's session, provided that the swamp land bill shall have been disposed of.

Withdrawn.

On motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

Mr. Gregory in the Speaker's chair.

SPECIAL ORDER.

The House went into consideration of,

A bill to provide for the sale and reclaiming of swamp lands granted to this State, and for the disposition of the proceeds of such sale,

Being the special order of this hour.

The bill was read in extenso, and afterwards by sections, for amendments.

Mr. Stout moved to amend section 1, line 3, by inserting after the words, "counties of this State," the following; "lying north of the south State boundary line, to and including the counties of Ottawa, Kent, Ionia, Clinton, Shiawassee, Genesee, Saginaw, Tuscola, Lapeer, St. Clair and Sanilac."

Which motion, after some explanation, was withdrawn.

Mr. Stout moved to amend section 5, lines 1, 2 and 3, so that the same shall read as follows: "The county treasurer shall require immediate payment of any person to whom any parcel of said lands shall be struck off, and no other tract shall in the meantime be offered, and in all cases where payment is not made immediately, the bid shall be cancelled and the tract again offered for sale."

Motion prevailed.

Mr. Brown moved that all of section 5 after the word "sold," in the seventh line, be struck out, to and including the word "then," in twelfth line of same section.

Lost.

Mr. Stout moved to insert after "act," in sixth line of section 6, "reserving one-tenth thereof, which shall be appropriated by the board of supervisors for the opening of highways and cutting drains through such swamp lands as may remain unsold in their respective counties."

Lost.

Mr. Littlejohn moved to add at the end of section 9, the following: "*Provided further*, That when any of said lands shall have remained unsold for the term of four years after they shall have been so subject to private office sale, the said commissioner may sell the same at the minimum price of fifty cents per acre; and after the lapse of eight years from the time of such lands being subject to such office sale, all lands then unsold may thereafter be sold for twenty-five cents per acre; but in case of any sales under this proviso, they shall remain subject to the same condition as to drainage."

Lost.

Mr. Beebe moved to strike out "seventy-five cents" in line 3, section 9, and insert "one dollar and fifty cents."

A division of the question was called for,

The motion to strike out prevailed.

The motion to insert "one dollar and fifty cents" was lost.

Mr. Judd moved to fill the blank with one dollar.

Mr. Strang, fifty cents.

Mr. Barclay moved to fill the blank with twenty-five cents an acre, except such lands as lie contiguous to Saginaw Bay, which lands shall not be sold for less than ten dollars per acre.

Which questions were taken in their order and lost.

Mr. Littlejohn moved to fill the blank with seventy-four cents.

Which prevailed.

Mr. Sherman moved the following to stand as a part of section 10: "*Provided*, That the swamp lands in the counties of Marquette, Delta, Houghton and Ontonagon, shall be exempted from the operation of this act."

Mr. Ashmun moved to amend the amendment by adding the counties of "Midland and Saginaw."

Lost.

The amendment offered by Mr. Sherman was then lost.

Mr. Edwards moved to strike out all after the enacting clause, and offered a substitute.

Mr. Sherman called for a division of the question.

Mr. Strang called for a reading of the substitute.

Which substitute was read, and the question being upon the motion to strike out, the same was carried, by the following vote:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Beebe, | Mr. Gregory, | Mr. Mussey, |
| Beecher, | Hall, | Pettit, |
| Brown, | Hurd, | N. Power, |
| Chapel, | Ives, | P. Power, |
| Church, | Judd, | Sherman, |
| J. Divine, | Lapham, | Shier, |
| R. K. Divine, | Luce, | Strang, |
| Duncan, | Middlesworth, | Tompkins, |
| DuPuy, | Miller, | Wells, |
| Eddy, | Mills, | Wendell, |
| Edwards, | D. N. Montague, | Whitmore, |
| Ewell, | Moorman, | Speaker, |

36.

NAYS.

| | | |
|-------------|-------------|--------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Sanborn, |
| Ashmun, | King, | St. Aubin, |
| Barclay, | Littlejohn, | Smith, |
| Brownell, | Lomison, | Stout, |
| Chamberlin, | Lovell, | Sutherland, |
| Chatfield, | Noble, | Tiffany, |
| Enos, | Parsons, | Ward, |
| Fitch, | Ralph, | White, |
| Gilman, | Reynolds, | Wilbur, |
| Hathaway, | Ross, | Williams, |

30.

Mr. Stout moved to lay the whole subject on the table.

Which motion prevailed.

On motion of Mr. Church,

The rules were suspended for the purpose of reading

MESSAGES FROM THE OTHER HOUSE.

SENATE CHAMBER,
Lansing, February 3, 1855. }

S^r—I am instructed by the Senate to transmit to the House of Representatives,

A bill to amend an act entitled an act to authorize the sale of the General Railroad, and to incorporate the Michigan Central Railroad Company, approved March 28, 1848.

A bill to authorize the Michigan Southern Railroad Company to consolidate with the Northern Indiana Railroad Company.

Both of which the Senate have passed by a vote of two-thirds of all the Senators elect, in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The message was laid on the table, and the bills were read twice and referred to the committee on Banks and Incorporations.

SENATE CHAMBER,
Lansing, February 3, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to return to the House of Representatives,

House bill 21,

A bill to provide for the improvement of the mouth of the Ontonagon River.

House bill 24,

A bill to change the boundary line between Houghton and Ontonagon counties.

In all of which the Senate have concurred, and in the last of which said Senate have amended the title, in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Message laid on the table, and,

On motion of Mr. Sherman,

The amendments were concurred in, and the bills ordered to be enrolled.

SENATE CHAMBER,
Lansing, February 3, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to return to the House of Representatives,

A bill making appropriation for the salaries of State Officers for the years 1855 and 1856.

Which the Senate have passed, with the following amendments:

Add after the word "the," in line 25, section 1, the words, "salary of the;" also, strike out lines 26, 27 and 28, to the word "for," and insert "five hundred dollars; for the Clerk of the Attorney General, four hundred dollars;" also, add to section 1 the words, "for the salaries of such additional clerks in the State Land Office as may be necessary, not to exceed six hundred dollars per year for the time employed;" also, strike out in section 2, lines 25, 26, 27 and 28, to the word "for," and insert, "for the salary of the Private Secretary of the Governor, five hundred dollars; for the Clerk of the Attorney General, four hundred dollars; also, add at the end of section 2, the words, "for the salaries of such additional Clerks in the State Land Office as may be necessary, not exceeding six hundred dollars per year for the time employed."

By a majority vote of all the Senators elect, and in which amendments the concurrence of the House is respectfully asked.

Very respectfully,

L. W. WILDER,

Sec'y of Senate.

Message laid on the table.

Mr. Beecher moved that the House concur in the amendment of the Senate.

Carried, by the following vote:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Cady,
Church,
Duncan,
DuPuy,
Eddy,
Gilman,
Hall,
Hurd,
Ives,

Mr. Judd,
Kirkland,
Lomison,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
Moorman,
Mussey,
Parker,
Pettit,
N. Power,

Mr. P. Power,
Ralph,
Ross,
Sanborn,
Shier,
Stout,
Tiffany,
Tompkins,
Ward,
Wells,
Whitmire,
Williams,
Speaker,

28

NAYS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Parsons, |
| Barclay, | Hathaway, | Reynolds, |
| Chamberlain, | Hixon, | St. Aubin, |
| Chapel, | King, | Sherman, |
| Chatfield, | Lapham, | Smith, |
| J. Divine, | Littlejohn, | Strang, |
| R. K. Divine, | Lovel, | Sutherland, |
| Enos, | D. N. Montague, | Wendell, |
| Ewell, | H. Montague, | Wilbur, |
| Fitch, | Noble, | |

22

The bill was then ordered to be enrolled.

SENATE CHAMBER,
Lansing, February 3, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

A bill to assess certain taxes for the benefit of a State road from Ohio, north, to the north line of the village of Hudson,

Which the Senate have passed by a majority vote of all the Senators elect, and by a vote of two-thirds of all said Senators ordered the same to take immediate effect. In which amendment the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

Message laid on the table, and the bill read a first and second time, when,

On motion of Mr. Beecher,

The rule was suspended, and the bill placed on the order of a third reading.

SENATE CHAMBER,
Lansing, February 3, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

1st. A bill to legalize the township of Emmet, in St. Clair county and to set off and organize the township of Kenockee.

2d. A bill to organize the county of Manistee, and to attach the counties of Lake and Wexford thereto, for certain purposes.

3d. A bill to incorporate the village of Lapeer.

4th. A bill for the collection of taxes in the township of Thornapple, in the county of Barry, for the year eighteen hundred and fifty-four, and to extend the time for the collection thereof.

5th. A bill to amend an act entitled an act to incorporate the village of Coldwater, in the county of Branch, approved February 29, 1847; approved March 19, 1845.

6th. A bill to establish Teachers' Institutes.

7th. A bill to incorporate the village of Dowagiac.

8th. A bill to incorporate the village of Three Rivers.

All of which the Senate have passed by a vote of a majority of all the Senators elect, and by a vote of two-thirds of said Senators, ordered all of the same to take immediate effect.

In which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

The several bills were read a first and second time;

The first, on motion of Mr. Sanborn, (the rule being suspended,) was ordered to a third reading.

The second, on motion of Mr. Church, laid on the table.

The third, on motion of Mr. White, laid on the table.

The fourth, on motion of Mr. Brown, (the rule being suspended,) ordered to a third reading.

The fifth, referred to the committee on Towns and Counties.

The sixth, referred to the committee on Education.

The seventh and eighth, laid on the table.

SENATE CHAMBER,
Lansing, February 1, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

1. Joint resolution relative to certain appropriations of public lands made by the Legislature of 1848.

2. Joint resolution relative to new Certificate for Primary School Lands.

3. Joint resolution authorizing the Commissioner of the State Land Office to issue a certificate of certain Primary School Lands.

4. Joint resolution authorizing the Commissioner of the State Land Office to issue a new certificate of certain Normal School Lands.

5. A bill making appropriations for the payment of warrants drawn by the State Auditors.

6. A bill to provide for the withdrawal of stocks from the hands of the State Treasurer, in certain cases.

7. A bill relative to the University Fund.

8. A bill relative to public instruction.

9. A bill to repeal section 89 of chapter 16 of the revised statutes of 1846, and to substitute a new section therefor, to stand as section 89 of said chapter.

11. Joint resolution relative to the extension or renewal of a certain patent.

13. Joint resolution relative to the construction of a ship canal around the Falls of Niagara.

14. Joint resolution relative to a new certificate for certain Primary School Lands.

15. A bill to provide for the laying out of a State road from Grand Rapids to Grand Traverse.

All of which bills the Senate have passed by a majority vote of all the Senators thereof; the 10th named bill ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

L. W. WILDER,

Secretary of Senate.

The several bills were read a first and second time; the 1st, 2d, 3d, 4th, 12th and 14th referred to the committee on Public Lands; the 5th and 6th referred to the committee on Ways and Means; the 8th and 9th referred to the committee on Education; the 13th to the committee on Federal Relations; the 10th to the committee on the Judiciary; and the 15th to the committee on Roads and Bridges.

SENATE CHAMBER, }
Lansing, February 3, 1855. }

To the Speaker of the House of Representatives:

SIR—I herewith transmit,

A bill to amend the charter of the Detroit, Romeo and Port Huron Railroad Company, approved March 7, 1834, and certain acts amendatory thereto,

Which has passed the Senate by a vote of two-thirds of all the Senators elect, and by a like vote have ordered the same to take immediate effect, and in which the concurrence of the House is respectfully asked.

I also return,

Joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for the year 1855,

Which the Senate have concurred in by a vote of a majority of all the Senators elect.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The bill was read a first and second time, and referred to the committee on Banks and Incorporations, and the joint resolution ordered to be enrolled.

SENATE CHAMBER,
Lansing, February 5, 1855. }

To the Speaker of the House of Representatives:

SIR—I return herewith,

A bill to provide for the laying out of private roads.

In which the Senate have concurred by a majority vote of all the Senators elect; also,

A bill for the relief of school districts, by a like vote.

Very respectfully, &c.,

I. W. WILDER,

Secretary of the Senate.

The bills were ordered to be enrolled.

SENATE CHAMBER,
Lansing, February 5, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives, Senate bill 36,

A bill appropriating certain highway taxes for the improvement of a road to the counties of Saginaw, Tuscola, Genesee and Lapeer.

Also, Senate bill 53,

A bill to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls Ship Canal.

A bill to incorporate the village of Sturgis.

All of which bills the Senate have passed by a majority vote of all the Senators elect, and the last 2 bills ordered to take immediate effect by a vote of two-thirds of all said Senators, in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The bills were severally read a first and second time, the first referred to the committee on Roads and Bridges, the second to the committee on State Affairs, and the last laid on the table.

SENATE CHAMBER,
Lansing, February 5, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

A bill to repeal an act to incorporate the Paw Paw Plank Road Company, approved April 3, 1848,

Which was passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

The bill was read a first and second time, and referred to the committee on Roads and Bridges.

The following message from the Executive, was then announced:

EXECUTIVE OFFICE,
Lansing, February 3, 1855. }

To the Speaker of the House of Representatives:

I have this day approved and filed in the office of the Secretary of State,

An act to organize the county of Gratiot; also,

An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage.

KINSLEY S. BINGHAM.

Mr. Littlejohn asked and obtained the unanimous consent of the House to submit the following report:

The committee on State Affairs, to whom was referred the bill to establish a House of Correction for juvenile offenders, with instructions as to the location thereof, have obeyed such instructions, and report back the said bill with the instructions, and ask to be discharged from the further consideration of these unpleasant instructions.

Report accepted, committee discharged, and the amendment concurred in, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|---------------|
| Mr. Atwood, | Mr. Gilman, | Mr. N. Power, |
| Ashmun, | Hathaway, | Ralph, |
| Barclay, | Hurd, | Reynolds, |
| Beebe, | Ives, | Sanborn, |
| Beecher, | Kirkland, | Sherman, |
| Brown, | Lapham, | Shier, |
| Chatfield, | Lomison, | Stout, |
| Church, | Mills, | Strang, |
| J. Divine, | D. N. Montague, | Sutherland, |
| Duncan, | H. Montague, | Wendell, |
| DuPuy, | Parker, | Wilbur, |
| Enos, | Parsons, | Speaker, |
| Fitch, | Pettit, | |

38

NAYS.

| | | |
|---------------|---------------|----------------|
| Mr. Brownell, | Mr. Lovell, | Mr. St. Aubin, |
| Chamberlain, | Luce, | Smith, |
| Eddy, | McIntyre, | Tiffany, |
| Edwards, | Middlesworth, | Tompkins, |
| Ewell, | Moorman, | Ward, |
| Gregory, | Mussey, | Wells, |
| Hixon, | Noble, | Whitmore, |
| King, | P. Power, | Williams, |
| Littlejohn, | | |

25

The bill, as amended, was then passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------|-------------|
| Mr. Atwood, | Mr. Hurd, | Mr. Ralph, |
| Ashmun, | Ives, | Reynolds, |
| Barclay, | Judd, | Sanborn, |
| Beebe, | King, | Sherman, |
| Beecher, | Kirkland, | Shier, |
| Chatfield, | Lapham, | Stout, |
| Church, | Lomison, | Strang, |
| J. Divine, | Luce, | Sutherland, |
| R. K. Divine, | Mills, | Ward, |

Duncan,
DuPuy,
Enos,
Fitch,
Gilman,
Gregory,

D. N. Montague,
H. Montague,
Parker,
Parsons,
Pettit,
N. Power,

Wendell,
White,
Wilbur,
Williams,
Speaker,

44

NAYS.

Mr. Brown,
Brownell,
Chamberlin,
Chapel,
Eddy,
Edwards,
Ewell,
Hathaway,

Mr. Hixon,
Littlejohn,
Lovell,
McIntyre,
Middlesworth,
Moorman,
Musey,
Noble,

Mr. P. Power,
St. Aubin,
Smith,
Tiffany,
Tompkins,
Wells,
Whitmore,

23

Mr. Littlejohn moved to amend the title by adding thereto the words
"at Lansing."

Motion withdrawn, and the Speaker declared the original title, the title of the bill.

On motion,

The House adjourned till Monday morning, at 9 o'clock.

Lansing, Tuesday, February 6, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Dayfoot.

Roll called; a quorum present.

PETITIONS PRESENTED.

By Mr. Barclay: of Joseph Twombly and 35 others, praying that an act may be passed regulating fisheries upon the Saginaw river.

Referred to the committee on Harbors.

By Mr. Ward: of A. B. Clough and 57 others, citizens of Newport, St. Clair county, asking for a charter of incorporation of said village; also, remonstrance of Alony Burt and 26 others, against the same.

Referred to the committee on Banks and Incorporations.

By Mr. Brownell: remonstrance of H. C. Lybrook and 26 others, citizens of Dowagiac village, Cass county, against the incorporation of said village.

Laid on the table.

By Mr. D. N. Montague: of citizens of Flint, asking to be incorporated as a city.

Referred to the committee on Banks and Incorporations.

By Mr. McIntyre: of Wm. M. Sinclair and others, asking to have certain territory annexed to the city of Ann Arbor, with a resolution of the common council of said city on the same subject.

Referred to the committee on Towns and Counties.

Also, a remonstrance of citizens of the township of Ann Arbor, against the annexation of any part thereof to the city of Ann Arbor.

Referred to the committee on Towns and Counties.

By Mr. Hall: of A. E. Campbell, Edward Cox, and others, citizens of Battle Creek, praying for power to raise and increase annual amount for the building of bridges.

Referred to the committee on Roads and Bridges.

By Mr. N. Power: of Celia E. Murrey and 46 others, praying for a female college.

Referred to the committee on Education.

REPORTS OF STANDING COMMITTEES.

Mr. Beecher submitted the following:

The committee of Ways and Means, to whom was referred a petition and bill relative to the purchase of an engine and apparatus to protect the property of the State against fire, have had the same under consideration, and instructed their chairman to respectfully report said bill back to the House, without amendment, and ask that it do pass, and that your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Also, the following:

The committee of Ways and Means, to whom was referred a bill making appropriation for the payment of warrants drawn by the Board of State Auditors, have had the same under consideration, and instructed their chairman to respectfully report the same back to the House, without amendment, and ask that it do pass, and that your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Also, the following:

The committee of Ways and Means, to whom was referred a bill to provide for the withdrawing of stocks from the hands of the State Treasurer in certain cases, have had the same under consideration and instructed their chairman to report the same back to the House without amendment, and ask that it do pass and that your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. Sanborn submitted the following:

The committee on Public Lands have had under consideration the following Senate joint resolutions, and have instructed me to report the same back to the House, recommending they do pass, viz:

Joint resolution relative to new certificates for primary school lands; also,

Joint resolution relative to a new certificate for certain primary school lands; also,

Joint resolution authorizing the Commissioner of the State Land Office to issue a new certificate of certain primary school lands; also,

Joint resolution authorizing the Commissioner of the State Land Office to issue a new certificate of certain Normal School lands; also,

Joint resolution relative to certain appropriations of public lands made by the Legislature in the year 1848,

And the committee ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the several joint resolutions ordered to a third reading.

Mr. McIntyre submitted the following:

The committee on Education, to whom was referred Senate bill No. 23, relative to the University fund, have, according to order, had the same under consideration, and instructed me as their chairman to report the same back to the House without amendment, to recommend its passage, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the bill ordered to a third reading.

Also, the following report:

The committee on Education, to whom was referred the manuscript bill passed by the Senate, to establish teachers' institutes, have, according to order, had the same under consideration, and instructed me as their chairman to report the bill to the House, without amendment, to recommend its passage, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. R. K. Divine submitted the following:

The committee on Roads and Bridges, to whom was referred,

A bill appropriating certain highway taxes for the improvement of a road in the counties of Saginaw, Tuscola, Genesee and Lapeer,

Have had the same under consideration, and have instructed their chairman to report the same back to the House and recommend that it do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the bill ordered to a third reading.

Also, the following:

The committee on Roads and Bridges, to whom was referred a Senate bill to provide for the laying out of a State road from Grand Rapids to Grand Traverse, have had the same under consideration, and have instructed their chairman to report the same back to the House, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. McIntyre submitted the following:

The committee on Banks and Incorporations, to whom was referred,

A bill to incorporate the Detroit and Maumee Railroad Company,

Have, according to order, had the same under consideration, and instructed me, as their chairman, to report the bill to the House, without amendment, without recommendation, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill laid on the table.

Also, the following:

The committee on Banks and Incorporations, to whom was referred,

A bill to amend an act entitled an act to incorporate the city of Adrian, approved January 31, 1853, and an act entitled an act to amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31, 1853, approved February 10, 1853.

Have according to order had the same under consideration, and have instructed me, as their chairman, to report the bill to the House without amendment and without recommendation, and ask to be discharged from the further consideration of the same.

The report was accepted, committee discharged, and the bill laid on the table.

Also the following:

The committee on Banks and Incorporations, to whom was referred,

A bill supplemental to an act entitled an act to provide for the incorporation of railroad companies, approved ———, 1855,

Have according to order had the same under consideration, and instructed me, as their chairman, to report the same to the House without amendment, and ask to be discharged from the further consideration of the subject. .

Report accepted, committee discharged, and the bill laid on the table.

Also the following:

The committee on Banks and Incorporations, to whom was referred the bill to control the title to property held by religious societies, have according to order, had the same under consideration, and instructed their chairman to report the same to the House without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill laid on the table.

Also the following:

The Committee on Banks and Incorporations, to whom was referred Senate bill No. 56, to amend an act entitled an act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company, approved March 28, 1846, have had the same under consideration, and instructed me as their chairman to report the bill to the House without amendment, and your committee ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Also the following:

The committee on Banks and Incorporations, to whom was referred Senate bill No. 27, to authorize the Michigan Southern Railroad Company to consolidate with the Northern Indiana Railroad Company, have according to order, had the same under consideration, and instructed me as their chairman to report the bill to the House with an amendment, in which the concurrence of the House is respectfully requested, and the committee ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendments adopted, and the bill ordered to a third reading.

Also, the following:

The committee on Banks and Incorporations, to whom was referred, Senate bill No. 30,

Have, according to order, had the same under consideration, and instructed me, as their chairman, to report the bill to the House without amendment, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. Stout reported as follows:

The committee on Engrossment and Enrollment report as correctly enrolled, signed and presented this day to the Governor, for approval,

An act to amend an act for the encouragement of Agriculture, Manufactures, and the Mechanic Arts, approved March 16, 1849; also;

An act for the incorporation of Charitable Societies; also,

An act to organize the county of Forrester, in the county of Sanilac.

Mr. Sanborn submitted the following:

The committee on Public Lands, to whom was referred,

⌚ A joint resolution relative to the extension or renewal of certain patents,

Report the same back, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the joint resolution ordered to a third reading.

Mr. Sanborn asked and obtained unanimous consent to move to take from the table,

A bill to grant to the First Wesleyan Methodist Church in Lansing, a certain lot in the village of Lansing,

And order the same to a third reading.

Which motion prevailed.

Mr. Littlejohn submitted the following:

The committee on State Affairs, to whom was referred Senate bill to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls Ship Canal, have had the same under consideration, and have instructed their chairman to report said bill back to the House, with amendments, in which they ask the concurrence of the House, and the committee recommend the passage of the bill thus amended, and ask to be discharged from its further consideration.

Report accepted, committee discharged, and the bill laid on the table.

Mr. Tiffany submitted the following:

The committee on the Judiciary, to whom were referred two House joint resolutions (in manuscript,) relative to an exchange of lots with the Baptist and Presbyterian Societies of Lansing, have considered the same, and made the amendments embodying the suggestions of the House, and have authorized me to report the same back, with a recommend that they be adopted.

Report accepted, committee discharged, amendments concurred in, and the joint resolution ordered to a third reading.

Also, the following:

The committee on the Judiciary, to whom was referred Senate bill to repeal section 39, chapter 16 of the revised statutes of 1846, and to substitute a new section therefor, relative to town meetings, have considered the same, and have instructed me to report the same to the House, with a recommend that it do pass.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. P. Power submitted the following:

The committee on Federal Relations, to whom was referred,

Senate joint resolution No. 9, relative to the construction of a Ship Canal around the Falls of Niagara,

Have had the same under consideration, and report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the joint resolution ordered to a third reading.

On motion of Mr. Church,

The rules were suspended, and the joint resolution read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,
Gilman,
Gregory,

Mr. Hall,
Hathaway,
Hixon,
Hurd,
Ives,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
Whitmore,
Wilbur,
Williams,
Speaker,

68

NAYS.

Mr. White,

1

MESSAGES FROM THE OTHER HOUSE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 5, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

A bill providing for the Michigan Asylums,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The message was laid on the table, and the bill read a first and second time, and referred to the committee on State Affairs.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Beecher,

The order of business was suspended.

THIRD READING OF BILLS.

A bill to supply the township school libraries of the State with the Michigan Journal of Education and Teachers' Magazine,

Was read a third time and passed, by a majority of all the members, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
Eddy,
Edwards,
Enos,
Fitch,
Gilman,
Gregory,
Hall,
Hathaway,

Mr. Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker, 64

NAYS.

Mr. Chapel,

Mr. Ewell,

2

On motion of Mr. McIntyre,

The bill was ordered to take immediate effect.

A bill to provide for the collection of taxes in the township of Thornapple, in the county of Barry, for the year 1854, and to extend time for the collection thereof,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Enos, | Mr. Mussey, |
| Ashmun, | Ewell, | Noble, |
| Barclay, | Fitch, | Parker, |
| Beebe, | Gilman, | Pettit, |
| Beecher, | Hall, | N. Power, |
| Brown, | Hathaway, | Ralph, |
| Brownell, | Hurd, | Reynolds, |
| Cady, | Ives, | Ross, |
| Chamberlin, | Judd, | Sanborn, |
| Chapel, | King, | Shier, |
| Chatfield, | Kirkland, | Sutherland, |
| Church, | Lomison, | Tiffany, |
| J. Divine, | Lovell, | Tompkins, |
| R. K. Divine, | McIntyre, | Wells, |
| Duncan, | Middlesworth, | Wendell, |
| DuPuy, | Mills, | White, |
| Eddy, | D. N. Montague, | Williams, |
| Edwards, | H. Montague, | Speaker, |

53

NAYS.

| | | |
|--------------|-------------|----------------|
| Mr. Gregory, | Mr. Miller, | Mr. St. Aubin, |
| Hixon, | Moorman, | Stout, |
| Littlejohn, | Parsons, | Strang, |
| Luce, | P. Power, | Whitmore, |

12

On motion of Mr. Brown,

The bill was ordered to take immediate effect.

A bill to legalize the organization of the township of Eunice in Clair county, and to set off and organize therefrom the township of Kenoskee,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|---------------|---------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. N. Power, |
| Barclay, | Hurd, | P. Power, |
| Beecher, | Ives, | Ralph, |
| Brownell, | Judd, | Reynolds, |
| Cady, | King, | Ross, |
| Chapel, | Kirkland, | Sanborn, |
| Chatfield, | Lomison, | St. Aubin, |
| Church, | Lovell, | Sherman, |
| J. Divine, | Luce, | Smith, |

| | | |
|---------------|---------------|-------------|
| R. K. Divine, | McIntyre, | Stout, |
| Duncan, | Middlesworth, | Sutherland, |
| DuPuy, | Miller, | Tompkins, |
| Eddy, | Mills, | Wells, |
| Edwards, | H. Montague, | Wendell, |
| Enos, | Mussey, | White, |
| Ewell, | Noble, | Wilbur, |
| Gilman, | Parker, | Williams, |
| Gregory, | Pettit, | Speaker, |

54

NAYS.

| | | |
|-------------|---------------------|------------|
| Mr. Aahmun, | Mr. D. N. Montague, | Mr. Shier, |
| Hall, | Moorman, | Strang, |
| Hixon, | Parsons, | Whitmore, |
| Littlejohn, | | |

10

On motion of Mr. Sanborn,

The bill was ordered to take immediate effect.

A bill to supply every school district in the State with Noah Webster's Unabridged Dictionary of the English language,

Was read a third time, when

Mr. McIntyre moved to refer the bill to the committee on Education, with instructions to report the following amendments: add the following at the end of the bill, to stand as sections 5, 6, and 7:

"Sec. 5. The Supervisor of any township in this State is hereby authorized to impose and assess, by tax upon the taxable property of such township, a sum of money which shall be sufficient to supply each primary school in such township with a copy of said Dictionary, at the price hereinbefore mentioned, and to place the amount of such tax on the township assessment roll in the column for school taxes, and the same shall be collected and returned by the township treasurer, in the same manner and for the same compensation as township taxes.

Sec. 6. In case the money shall be levied and collected, as provided for in the next preceding section of this act, it shall be the duty of the township treasurer to pay the same to the township board of school inspectors, whose duty it shall be to expend the same in the manner and for the purposes provided for in the first section of this act, and to deliver such Dictionaries, when received by him, to the directors of the several districts, as provided for in the second section of this act.

Sec. 7. When any tax shall have been assessed, as provided for in the fourth section of this act, it shall be the duty of the school inspec-

tors to apply and use the twenty-five dollars, appropriated for the township library, in the manner provided in section seventy-three of chapter fifty-eight, title XI of the revised statutes of eighteen hundred and forty-six."

Mr. Chatfield moved to amend the instructions as follows, to add to section 5 of the instructions the following: "*Provided*, That said supervisor shall assess said tax by districts in his township, each district paying a tax sufficient to purchase its books."

Lost.

Mr. Strang moved to amend the instructions so as to require such amendments to be reported as will "provide that the Superintendent of Public Instruction purchase the Dictionaries at the expense of the State Treasury, and distribute them in the districts."

Lost.

Mr. Tompkins moved to indefinitely postpone the bill.

Which motion was lost, the yeas and nays being called, as follows:

YEAS.

| | | |
|---------------|--------------|-------------|
| Mr. Atwood, | Mr. Hall, | Mr. Miller, |
| Beecher, | Hathaway, | Reynolds, |
| Brown, | Hurd, | Shier, |
| Chamberlin, | Judd, | Strang, |
| R. K. Divine, | Kirkland, | Tiffany, |
| Duncan, | Lapham, | Tompkins, |
| DuPuy, | Luce, | Ward, |
| Eddy, | Middleworth, | Speaker, |
| Gilman, | | |

25

NAYS.

| | | |
|--------------|-----------------|---------------|
| Mr. Barclay, | Mr. Ives, | Mr. P. Power, |
| Beebe, | Littlejohn, | Ralph, |
| Brownell, | Lomison, | Ross, |
| Cady, | Lovell, | St. Aubin, |
| Chapel, | McIntyre, | Sherman, |
| Chatfield, | Mills, | Smith, |
| Church, | D. N. Montague, | Stout, |
| J. Divine, | Moorman, | Sutherland, |
| Edwards, | Mussey, | Wells, |
| Enos, | Noble, | Wendell, |
| Ewell, | Parker, | White, |
| Fitch, | Parsons, | Whitmore, |
| Gregory, | Pettit, | Wilbur, |
| Hixon, | N. Power, | Williams, |

The motion to recommit prevailed.

A bill to assess certain taxes for the benefit of a State Road from Ohio, north, to the north line of the village of Hudson,

Was read a third time, when

Mr. King moved to recommit the bill, with instructions to strike out the words "townships of Wright and Pittsford."

Withdrawn.

Mr. Beecher moved to lay the bill on the table.

Which motion prevailed.

A bill to define the county of Charlevoix, and to organize certain townships therein.

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|--------------|---------------|
| Mr. Brown, | Mr. Hurd, | Mr. P. Power, |
| Brownell, | Ives, | Reynolds, |
| Cady, | Judd, | Ross, |
| Chamberlin, | King, | Sanborn, |
| Chapel, | Kirkland, | St. Aubin, |
| Church, | Lapham, | Sherman, |
| J. Divine, | Lomison, | Smith, |
| R. K. Divine, | Luce, | Stout, |
| Duncan, | McIntyre, | Sutherland, |
| DuPuy, | Middleworth, | Tiffany, |
| Eddy, | Miller, | Tompkins, |
| Enos, | Mills, | Ward, |
| Ewell, | Moorman, | Wells, |
| Fitch, | Mussey, | Wendell, |
| Gilman, | Noble, | White, |
| Gregory, | Parker, | Whitmore, |
| Hall, | Parsons, | Williams, |
| Hathaway, | Pettit, | Speaker, |
| Hixon, | N. Power, | |

56

NAYS.

| | | |
|------------|------------|-------------|
| Mr. Beebe, | Mr. Shier, | Mr. Wilbur, |
| Chatfield, | Strang, | |

5

The bill was ordered to take immediate effect.

Mr. McIntyre, with the unanimous consent of the House, submitted the following report:

The committee on Education, to whom was referred House bill No. 80, to supply every school district in the State with Noah Webster's Unabridged Dictionary of the English Language, with instructions, have instructed me to report that they have performed the duty required of them by the instructions, and report the bill to the House as

amended, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendments adopted, and the bill as amended passed, by yeas and nays, as follows:

YEAS.

| | | |
|------------|-----------------|---------------|
| Mr. Beebe, | Mr. Lapham, | Mr. N. Power, |
| Brown, | Littlejohn | P. Power, |
| Brownell, | Lomison, | Ross, |
| Cady, | Lovell, | Sanborn, |
| Chapel, | McIntyre, | St. Aubin, |
| Church, | Middlesworth, | Sherman, |
| J. Divine, | Mills, | Smith, |
| DuPuy, | D. N. Montague, | Stout, |
| Edwards, | H. Montague, | Sutherland, |
| Enos, | Moorman, | Ward, |
| Ewell, | Mussey, | Wells, |
| Fitch, | Noble, | White, |
| Gilman, | Parker, | Whitmore, |
| Gregory, | Parsons, | Williams, |
| Hathaway, | Pettit, | Speaker, |
| Ives, | | |

46

NAYS.

| | | |
|---------------|------------|---------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Reynolds, |
| Beecher, | Hurd, | Shier, |
| Chamberlin, | Judd, | Strang, |
| Chatfield, | King, | Tiffany, |
| R. K. Divine, | Kirkland, | Tompkins, |
| Duncan, | Luce, | Wendell, |
| Eddy, | Miller, | Wilbur, |
| Hall, | | |

22

The bill was ordered to take immediate effect.

A bill to organize the county of Emmet, and certain townships therein,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-------------|---------------|
| Mr. Atwood, | Mr. Hurd, | Mr. N. Power, |
| Beebe, | Ives, | P. Power, |
| Beecher, | Judd, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Chamberlin, | Lapham, | Sanborn, |
| Chapel, | Littlejohn, | St. Aubin, |
| Church, | Lomison, | Sherman, |
| J. Divine, | Lovell, | Shier, |
| R. K. Divine, | Luce, | Smith, |
| Duncan, | McIntyre, | Stout, |

| | | |
|----------|---------------|-------------|
| DuPuy, | Middlesworth, | Sutherland, |
| Eddy, | Miller, | Tiffany, |
| Edwards, | Mills, | Tompkins, |
| Enos, | H. Montague, | Ward, |
| Ewell, | Moorman, | Wells, |
| Fitch, | Mussey, | Wendell, |
| Gilman, | Noble, | White, |
| Gregory, | Parker, | Whitmore, |
| Hall, | Parsons, | Williams, |
| Hixon, | Pettit, | Speaker, |

60

NAYS.

| | | |
|----------------|-----------|-------------|
| Mr. Chatfield, | Mr. King, | Mr. Strang, |
| Hathaway, | | |

4

Leave of absence was granted to Mr. Cady.

A bill to repeal an act entitled an act to organize the county of Emmet, approved January 29, 1853,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|-------------|
| Mr. Atwood, | Mr. Kirkland, | Mr. Ralph, |
| Beebe, | Lapham, | Reynolds, |
| Beecher, | Littlejohn, | Ross, |
| Brownell, | Lomison, | Sanborn, |
| Chamberlin, | Lovell, | St. Aubin, |
| Chapel, | Luce, | Shier, |
| R. K. Divine, | McIntyre, | Smith, |
| Eddy, | Middlesworth, | Stout, |
| Edwards, | Miller, | Sutherland, |
| Enos, | H. Montague, | Tiffany, |
| Ewell, | Moorman, | Tompkins, |
| Gilman, | Mussey, | Ward, |
| Gregory, | Noble, | Wells, |
| Hall, | Parker, | Wendell, |
| Hixon, | Parsons, | White, |
| Hurd, | Pettit, | Whitmore, |
| Ives, | N. Power, | Williams, |
| Judd, | P. Power, | Speaker, |

54

NAYS.

| | | |
|----------------|-------------|-----------|
| Mr. Chatfield, | Mr. Duncan, | Mr. King, |
| J. Divine, | Fitch, | Strang, |

6

Mr. Parsons moved to strike out the preamble.

Which motion prevailed.

The bill was then ordered to take immediate effect.

Mr. Littlejohn, with the unanimous consent of the House, submitted the following report:

The committee on State Affairs, to whom was referred the Senate bill without a title, but endorsed "a bill providing for the Michigan Asylums," have had the same under consideration, and have instructed their chairman to report the body of the bill back to the House, with an amendment, recommending its passage, and said committee have also instructed their chairman to report the accompanying amendment to stand as the title of the bill, recommending its adoption, and asking that the committee be discharged from the further consideration of the subject:

"A bill making appropriations in aid of Michigan Asylums."

Mr. Fitch moved to recommit the bill to the same committee with instruction to strike out section five.

Motion withdrawn.

Report accepted, committee discharged, amendments concurred in, and the bill as amended passed, by the following vote:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Parsons, |
| Ashmun, | Hathaway, | Pettit, |
| Barclay, | Hixon, | N. Power, |
| Beebe, | Hurd, | P. Power, |
| Beecher, | Ives, | Ralph, |
| Brown, | Kirkland, | Reynolds, |
| Brownell, | Lapham, | Sherman, |
| Chamberlin, | Littlejohn, | Shier, |
| Chapel, | Lomison, | Smith, |
| Chatfield, | Lovell, | Sutherland, |
| Church, | McIntyre, | Wells, |
| J. Divine, | Middlesworth, | Wendell, |
| R. K. Divine, | Miller, | White, |
| Duncan, | D. N. Montague, | Whitmore, |
| Edwards, | H. Montague, | Wilbur, |
| Enos, | Moorman, | Williams, |
| Fitch, | Noble, | Speaker, |
| Gilman, | | |

52

NAYS.

| | | |
|------------|-----------|------------|
| Mr. DuPuy, | Mr. Luce, | Mr. Stout, |
| Eddy, | Mills, | Tiffany, |
| Ewell, | Mussey, | Tompkins, |
| Judd, | Parker, | Ward, |
| King, | Sanborn, | |

14

On motion of Mr. H. Montague,

The bill was ordered to take immediate effect.

House bill No. 51, being,

A bill to amend an act entitled an act to incorporate the village of Romeo,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Atwood, | Mr. Ives, | Mr. P. Power, |
| Beebe, | Judd, | Ralph, |
| Beecher, | King, | Ross, |
| Brown, | Kirkland, | Sanborn, |
| Brownell, | Lapham, | St. Aubin, |
| Chamberlin, | Littlejohn, | Sherman, |
| Chapel, | Lomison, | Shier, |
| Chatfield, | Lovell, | Smith, |
| Church, | Luce, | Stout, |
| J. Divine, | McIntyre, | Sutherland, |
| R. K. Divine, | Middlesworth, | Tiffany, |
| Duncan, | Miller, | Tompkins, |
| DuPuy, | Mills, | Ward, |
| Eddy, | H. Montague, | Wells, |
| Edwards, | Moorman, | Wendell, |
| Enos, | Mussey, | White, |
| Ewell, | Noble, | Whitmore, |
| Fitch, | Parker, | Wilbur, |
| Gregory, | Parsons, | Williams, |
| Hall, | Pettit, | Speaker, |
| Hurd, | | |

59

NAYS.

Mr. Ashmun, Mr. Gilman,

2

The bill was ordered to take immediate effect.

A bill to prohibit the use of the common jails and other public buildings in the several counties of this State, for the detention of persons claimed as fugitive slaves,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Ashmun, | Mr. Judd, | Mr. N. Power, |
| Beebe, | King, | P. Power, |
| Beecher, | Lapham, | Ralph, |
| Brown, | Lomison, | Ross, |
| Brownell, | Lovell, | Sherman, |
| Church, | Luce, | Shier, |
| J. Divine, | McIntyre, | Smith, |
| R. K. Divine, | Middlesworth, | Stout, |
| DuPuy, | Miller, | Strang, |
| Eddy, | Mills, | Tiffany, |

| | | |
|----------|-----------------|-----------|
| Edwards, | D. N. Montague, | Tompkins, |
| Enos, | H. Montague, | Ward, |
| Gilman, | Moorman, | Wells, |
| Gregory, | Mussey, | Wendell, |
| Hall, | Noble, | Whitmore, |
| Hurd, | Parker, | Williams, |
| Ives, | Pettit, | Speaker, |

51

NAYS.

| | | |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Reynolds, |
| Barclay, | Fitch, | Sanborn, |
| Chamberlin, | Hathaway, | St. Aubin, |
| Chapel, | Hixon, | Sutherland, |
| Chatfield, | Littlejohn, | White, |
| Duncan, | Parsons, | Wilbur, |

18

On motion of Mr. Beecher,

The bill was ordered to take immediate effect.

On motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

The Speaker, by consent, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 6, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives, the accompanying concurrent resolution, this day adopted by the Senate, and to respectfully ask the concurrence of the House therein.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Resolved, (the House concurring,) That this Legislature will adjourn *sine die*, on Monday, the 12th day of February inst., at 12 o'clock noon.

The question being on concurring in the resolution, Mr. Church called for the yeas and nays.

Resolution was concurred in, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brownell,
Chamberlin,
Chapel,
Chatfield,
J. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,

Mr. Ewell,
Fitch,
Gilman,
Hathaway,
Hixon,
Ives,
Kirkland,
Littlejohn,
Lomison,
Muesey,
Parker,
Parsons,
Pettit,

Mr. Reynolds,
Ross,
St. Aubin,
Sherman,
Shier,
Smith,
Strang,
Sutherland,
Wells,
Wendell,
Wilbur,
Williams,
Speaker,

40

NAYS.

Mr. Barclay,
Brown,
Church,
B. K. Divine,
Gregory,
Hall,
Hurd,
King,
Lovell,

Mr. Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
H. Montague,
Moorman,
Noble,
N. Power,

Mr. P. Power,
Ralph,
Sanborn,
Stout,
Tiffany,
Tompkins,
Ward,
White,
Whitmore,

27

SPECIAL ORDER OF THE DAY.

Mr. Littlejohn was called to the chair, and announced,
A bill for the establishment of an Agricultural School,
As the special order of the hour.

The bill having been read in extenso, and submitted by sections for amendments,

Mr. N. Power moved to strike out, "in one body," in line 5, section 1.

Lost.

Mr. Enos moved to insert after the word "school," section 1, line 3, the words, "in the county of Cass."

Mr. Ashmun moved to amend the motion by striking out "Cass," and inserting "Ingham."

Lost.

Mr. Chatfield moved to strike out "Cass," and insert "Eaton."

Lost.

Mr. Sherman moved to strike out "Cass," and insert "Ontonagon."

Lost.

Mr. K. K. Divine moved to strike out "Cass," and insert "Mont-calm."

Lost.

Mr. Pettit moved to strike out "Cass," and insert "Clinton."

Lost.

Mr. Wendell moved to strike out "in the county of Cass," and insert "in the district of Newaygo."

Lost.

Mr. Edwards moved to strike out "in the county of Cass," and insert "at or near Lansing."

Pending which,

Mr. Enos withdrew his motion.

Mr. Strang moved to strike out of section 1 all after the word "school," in the third line, and insert, "upon any of the State Salt Spring Lands, or State Swamp Lands, which shall be deemed suitable for the purpose, nor less than six hundred nor more than one thousand acres in extent, for the purpose of an Experimental Farm and Site for such Agricultural School."

Lost.

Mr. Smith moved to strike out in section 1, line 4, the words "five hundred," and insert "two hundred;" also, in line 5, strike out "one thousand," and insert "five hundred."

Lost.

Mr. Fitch moved to amend section 1, in line 6, by striking out the words "twenty-five," at the end of the line, and inserting "ten."

Mr. Judd moved to amend the motion by striking out "ten," and inserting "five."

Mr. Fitch accepted the amendment.

Amendment lost.

Mr. Sanborn moved to insert after the word "school," in line 3, section 1, the words, "shall be at or near Port Huron, in the county of St. Clair."

Mr. Beebe moved to lay the whole subject on the table.

Lost.

Mr. Montague moved the previous question.

Which was sustained.

The question being upon the motion to amend, the same was lost.

The bill was then ordered to a third reading.

THIRD READING OF BILLS.

A bill for the establishment of an Agricultural School,

Was announced for a third reading, when

Mr. Fitch moved to recommit to the committee on Agriculture, with instructions to amend section 1, line 3, by inserting after the word "school," the words, "within five miles from Lansing."

Mr. McIntyre moved, as a substitute, to recommit with instructions to amend section 2 by inserting in line 1, after the word "lands," the following: "or so much thereof as remains unsold and unappropriated."

Amend section 2 by inserting in line 2, after the word "thereof," the words, "where such lands have been already sold, and the proceeds thereof remain unappropriated."

Amend section 5 by inserting in line 2, after the word "scientific," the word "agricultural."

Amend section 5 by inserting in line 12, after the word "free," the following: "to all pupils who are actual residents of this State."

Which substitute was adopted.

Mr. D. N. Montague moved further to instruct the committee to amend as follows:

Strike out of 2d line of 1st section the words, "subject to the approval of," and insert "in connection with."

Lost.

Mr. Parker moved further to instruct as follows:

Amend section 1, line 3, by inserting after the word "School," the words, "for the instruction of persons without distinction of sex."

Also section 5, line 4, after the word "economy," insert the words, "domestic economy."

Also section 4, at the end of line 4, add "and domestic economy."

Lost.

Mr. Judd moved further to instruct: to amend section 5 by striking out from line ten, all after the word "dollars;" also from line eleven, all before and including the word "institution."

Lost.

The motion to recommit, with the instructions proposed by Mr. McIntyre, prevailed.

A bill to amend section 1 of act No. 252 of the session laws of 1850,

Was read a third time and passed, as follows:

YEAS.

| | | | |
|---------------|---------------|---------------|----|
| Mr. Ashmun, | Mr. Ives, | Mr. N. Power, | |
| Beebe, | Judd, | Ralph, | |
| Beecher, | King, | Reynolds, | |
| Brown, | Kirkland, | Rosa, | |
| Brownell, | Lapham, | Sanborn, | |
| Chamberlin, | Littlejohn, | St. Aubin, | |
| Chapel, | Lomison, | Sherman, | |
| Chatfield, | Lovell, | Smith, | |
| Church, | Luce, | Strang, | |
| R. K. Divine, | McIntyre, | Sutherland, | |
| Dunakin, | Middlesworth, | Tiffany, | |
| Duncan, | Miller, | Ward, | |
| Du Puy, | Mills, | Wells, | |
| Eddy, | H. Montague, | Wendell, | |
| Edwards, | Moorman, | White, | |
| Enos, | Mussey, | Whitmore, | |
| Fitch, | Noble, | Willbur, | |
| Hall, | Parker, | Williams, | |
| Hathaway, | Parsons, | Speaker, | |
| Hixon, | Pettit, | | 59 |

NAYS.

| | | |
|--------------|--------------|---|
| Mr. Barclay, | Mr. Gregory, | 2 |
|--------------|--------------|---|

The bill was ordered to take immediate effect.

House bill No. 78 was announced for a third reading, and,

On motion of Mr. Mussey,

Laid on the table.

A bill to grant to the First Wesleyan Methodist Church in Lansing, a certain lot in the village of Lansing,

Was read a third time and passed, as follows:

YEAS

| | | |
|-------------|------------|-------------|
| Mr. Ashmun, | Mr. Hixon, | Mr. Pettit, |
| Beebe, | Hurd, | N. Power, |
| Beecher, | Ives, | Ralph, |

| | | |
|---------------|-----------------|-------------|
| Brown, | King, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Chamberlin, | Lapham, | Sanborn, |
| Chapel, | Littlejohn, | St. Aubin, |
| Chatfield, | Lomison, | Sherman, |
| Church, | Lovell, | Shier, |
| J. Divine, | Luce, | Smith, |
| R. K. Divine, | McIntyre, | Strang, |
| Dunakin, | Middlesworth, | Sutherland, |
| Duncan, | Miller, | Tiffany, |
| Eddy, | Mills, | Tompkins, |
| Edwards, | D. N. Montague, | Ward, |
| Enos, | H. Montague, | Wells, |
| Ewell, | Moorman, | White, |
| Fitch, | Mussey, | Whitmore, |
| Gregory, | Noble, | Wilbur, |
| Hall, | Parker, | Williams, |
| Hathaway, | Parsons, | Speaker, |

63

NAYS.

Mr. Barclay, Mr. Wendell, 2

The bill was ordered to take immediate effect.

A bill to authorize the formation of County and Town Agricultural Societies,

Was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Pettit, |
| Aahmun, | Hurd, | N. Power, |
| Beebe, | Kirkland, | P. Power, |
| Beecher, | Lapham, | Reynolds, |
| Brown, | Littlejohn, | Ross, |
| Brownell, | Lomison, | St. Aubin, |
| Chamberlin, | Lovell, | Smith, |
| R. K. Divine, | Luce, | Stout, |
| Dunakin, | McIntyre, | Strang, |
| Duncan, | Middlesworth, | Sutherland, |
| DuPuy, | Miller, | Tiffany, |
| Edwards, | D. N. Montague, | Tompkins, |
| Enos, | H. Montague, | Wells, |
| Ewell, | Moorman, | White, |
| Fitch, | Mussey, | Whitmore, |
| Gilman, | Noble, | Wilbur, |
| Gregory, | Parker, | Williams, |
| Hall, | Parsons, | Speaker, |
| Hathaway, | | |

55

NAYS.

Mr. Barclay, Mr. Eddy, Mr. Sanborn,
Chapel, Ralph, Sherman, 6

The bill was ordered to take immediate effect.

A bill to take township 6 north, of range 15 west, from the township of Ottawa, and annex the same to the township of Holland, in the county of Ottawa,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hurd, | Mr. P. Power, |
| Ashmun, | Ives, | Ralph, |
| Barclay, | Kirkland, | Reynolds, |
| Beebe, | Lapham, | Ross, |
| Brown, | Littlejohn, | Sanborn, |
| Brownell, | Lomison, | St. Aubin, |
| Church, | Lovell, | Sherman, |
| J. Divine, | Luce, | Smith, |
| R. K. Divine, | McIntyre, | Stout, |
| Dunakin, | Middlesworth, | Strang, |
| Duncan, | Miller, | Sutherland, |
| DuPuy, | D. N. Montague, | Tiffany, |
| Eddy, | H. Montague, | Tompkins, |
| Edwards, | Moorman, | Wells, |
| Enos, | Mussey, | Wendell, |
| Ewell, | Noble, | White, |
| Fitch, | Parker, | Whitmore, |
| Gilman, | Parsons, | Wilbur, |
| Gregory, | Pettit, | Williams, |
| Hall, | N. Power, | Speaker, |
| Hixon, | | |

61

NAYS.

Mr. Chatfield,

1

The bill was ordered to take immediate effect.

A bill to provide for laying out and establishing a certain State road,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. N. Power, |
| Barclay, | Hixon, | Ralph, |
| Beebe, | Hurd, | Reynolds, |
| Beecher, | Ives, | Ross, |
| Brown, | Judd, | Sanborn, |
| Brownell, | King, | St. Aubin, |
| Chapel, | Lapham, | Sherman, |
| Chatfield, | Littlejohn, | Shier, |
| Church, | Lovell, | Smith, |
| J. Divine, | Luce, | Stout, |
| R. K. Divine, | McIntyre, | Strang, |

| | | |
|----------|-----------------|-------------|
| Dunakin, | Middlesworth, | Sutherland, |
| Duncan, | Miller, | Tiffany, |
| DuPuy, | D. N. Montague, | Tompkins, |
| Eddy, | H. Montague, | Wells, |
| Edwards, | Moorman, | Wendell, |
| Enos, | Munsey, | White, |
| Ewell, | Noble, | Whitmore, |
| Fitch, | Parker, | Wilbur, |
| Gilman, | Parsons, | Williams, |
| Gregory, | Pettit, | Speaker, |
| Hall, | | |

64

NAYS.

Mr. Ashmun, Mr. Mills, 2

On motion of Mr. R. K. Divine,

The bill was ordered to take immediate effect.

A bill to amend section 6, chapter 34, title 6 of the revised statutes of 1846,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Barclay, | Mr. Hall, | Mr. Parker, |
| Beebe, | Hathaway, | Parsons, |
| Beecher, | Hixon, | Pettit, |
| Brown, | King, | N. Power, |
| Brownell, | Lapham, | P. Power, |
| Chapel, | Littlejohn, | Ralph, |
| Church, | Lovell, | Ross, |
| R. K. Divine, | Luce, | Sherman, |
| Dunakin, | McIntyre, | Strang, |
| Duncan, | Middlesworth, | Sutherland, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | Mills, | Wells, |
| Edwards, | D. N. Montague, | Wendell, |
| Fitch, | Moorman, | Williams, |
| Gregory, | Noble, | |

44

NAYS.

| | | |
|-------------|--------------|------------|
| Mr. Atwood, | Mr. Hurd, | Mr. Stout, |
| Ashmun, | H. Montague, | White, |
| Enos, | Reynolds, | Whitmore, |
| Ewell, | Smith, | Wilbur, |
| Gilman, | | |

13

Joint resolution for the relief of Eliza Maria and Joseph Detcher,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|--------------|---------------|
| Mr. Atwood, | Mr. Gregory, | Mr. P. Power, |
| Ashmun, | Hall, | Ralph |

| | | | |
|---------------|-----------------|-------------|----|
| Barclay, | Hathaway, | Reynolds, | |
| Beebe, | Hixon, | Ross, | |
| Beecher, | Ives, | Sanborn, | |
| Brown, | King, | St. Aubin, | |
| Brownell, | Kirkland, | Sherman, | |
| Chamberlin, | Lapham, | Shier, | |
| Chapel, | Littlejohn, | Smith, | |
| Chatfield, | Luce, | Stout, | |
| Church, | McIntyre, | Strang, | |
| J. Divine, | Middleworth, | Sutherland, | |
| R. K. Divine, | Miller, | Tiffany, | |
| Dunakin, | Mills, | Ward, | |
| Duncan, | D. N. Montague, | Wells, | |
| DuPuy, | H. Montague, | Wendell, | |
| Eddy, | Moorman, | White, | |
| Edwards, | Noble, | Whitmore, | |
| Enos, | Parker, | Wilbur, | |
| Ewell, | Parsons, | Williams, | |
| Fitch, | Pettit, | Speaker, | |
| Gilman, | N. Power, | | 65 |
| | NAYS. | | 0 |

The joint resolution was ordered to take immediate effect.

A bill authorizing certain persons to construct a Floating or Dry Dock, above the Falls of Saut Ste Marie River, in the county of Chippewa,

Was read a third time and laid on the table.

A bill to provide for holding the terms of the Supreme Court,

Was read a third time, when

Mr. Beecher moved to re-commit the bill with instructions to strike out sections 1 and 2, and substituting the following to stand as section 1 :

"Sec. 1. The January and July terms of said Court shall be held on the first Monday of January and July, and the May and October terms of said Court on the first Mondays of May and October, at the Capitol, in the village of Lansing."

Which motion was withdrawn, and the bill,

On motion of Mr. McIntyre,

Recommitted to the committee on the Judiciary, without instruction.

With the unanimous consent of the House,

The Chair announced the following communication from the Superintendent of Public Instruction :

OFFICE OF THE SUPT. OF PUBLIC INSTRUCTION,
AND SECRETARY OF THE BOARD OF EDUCATION,
Lansing, February 6, 1855.

HON. CYRUS LOVELL,

Speaker of the House of Representatives:

SIR—The tenth section of “an act to consolidate and amend the laws relative to the establishment of a State Normal School,” approved March 25th, 1850, provides that each county shall be entitled to send pupils to said school in the ratio of the Representatives in the State Legislature to which it may be entitled, not to exceed such number as the Board of Education may prescribe.

The Board of Education have placed on record a resolution authorizing each Representative to appoint two Normal Pupils, (the Board recommending that when practicable there be one of each sex,) who upon the written recommendation of said Representatives, will be entitled to all the rights and privileges of students in the Normal School, without charge for tuition.

The next academic year of the Normal School will commence on Tuesday, the 12th of March; and in order to enable the counties generally, of the State, to share equitably in the privileges and benefits of this Institution, to the end that its benign, healthful and invigorating influence in elevating and improving the schools generally of the State, may be felt as speedily as practicable, it is respectfully recommended that the Representatives, at their earliest convenience, and before the beginning of the next academic year, do make these appointments, and notify the Secretary of the Board of the names and residences of appointees.

Very respectfully,

IRA MAYHEW,

Sup't of Pub. Ins'n, and ex-officio Secretary of Board of Ed'n.

Which communication was laid on the table and ordered printed.

The Chair also announced the following:

MESSAGES FROM THE OTHER HOUSE.

SENATE CHAMBER,
Lansing, February 6, 1855.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

1st. Senate bill, being,

A bill concerning churches and religious societies, establishing uniform rules for the acquisition, tenure, control and disposition of property conveyed or dedicated for religious purposes, and to repeal chapter fifty-two of the revised statutes.

2d. A bill to organize the township of Goodland, in the county of Lapeer.

3d. A bill relative to the disposition of the surplus funds in the State Treasury.

4th. A bill to change the name of the village of Ashley, in Macomb county, to New Baltimore.

5th. A bill to amend section 80 of chapter 16 of title 4 of the revised statutes of 1846.

6th. A bill to amend section 34 of chapter 93 of title 21 of the revised statutes of 1846.

7th. A bill to incorporate the village of Flint.

All of which the Senate have passed, and have, by a vote, of two-thirds of all the Senators elect, ordered the 2d above named bill to take immediate effect, in all of which the concurrence of the House is respectfully asked.

I am also instructed by the Senate to return herewith,

1st. A bill to incorporate the village of Dundee, in the county of Monroe,

Which the Senate have passed, with amendments, and have, by a vote of two-thirds of all the Senators elect, ordered to take effect in 30 days.

2d. A bill to incorporate the village of Lexington,

Which the Senate have passed, with amendments, and by a two-thirds vote ordered to take effect in thirty days.

3d. A bill to incorporate the village of Jonesville, in the county of Hillsdale,

Which the Senate have passed, with amendments, and by a two-thirds vote, ordered to take effect in 20 days.

4th. A bill to incorporate the village of Dexter,

To which the Senate have made amendments.

5th. A bill to incorporate the village of Trenton.

6th. A bill to provide for reporting cases determined by the Supreme Court.

7th. A bill to extend certain rights and privileges to persons who are tax-payers, but not qualified voters in school districts.

8th. A bill to provide for the collection and return of taxes, in townships nine and ten north, of range four west, in the county of Gratiot, for the year 1854, and to extend the time thereof.

9th. A bill to authorize mining companies to subscribe and take stock in plank or railroads, and to regulate taxation thereon,

The title to which the Senate have amended by inserting "roads," after "plank."

10th. A bill to amend an act entitled an act to organize the county of Midland, approved March 29th, 1850.

11th. A bill to authorize Isaac Turner to purchase the south half of lot number two, section twenty-five, town seven north, of range twelve west.

12th. A bill to provide for and establish a system of primary schools, whereby a school shall be kept free of charge for tuition, at least three months in each year, in every school district in the State,

To which the Senate has made an amendment.

13th. A bill to annex certain sections to the township of Napoleon, in the county of Jackson,

Which the Senate have amended by adopting the title on the face of the bill.

In the amendments made by the Senate to the 1st, 2d, 3d, 4th, 9th, 12th and 13th above mentioned bills, the concurrence of the House is respectfully asked, and in the 5th, 6th, 7th, 8th, 10th and 11th named bills, the Senate have concurred without amendment, and all of the above mentioned bills, except the 1st, 2d and 3d, the Senate have, by a vote of two-thirds of all the Senators elect, ordered to take immediate effect.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The message was laid on the table, and the Senate bills were read twice, the 1st named referred to the committee on Banks and Incorporations, the 2d and 4th to the committee on Towns and Counties, the

3d to the committee on Ways and Means, the 5th and 6th to the committee on the Judiciary, and the 7th to the select committee on village incorporations.

The 1st, 2d, 3d, 4th and 5th named House bills referred to the select committee on village incorporations, the 12th to the committee on Education, the amendments to the 9th and 18th concurred in, and ordered, with all the others not otherwise directed, to be enrolled.

The Chair also announced the following:

SENATE CHAMBER,
Lansing, February 6, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed herewith to transmit,

1st. A bill to provide for the transfer of causes from one Circuit Court to another, in certain cases.

2d. Joint resolution relative to the claim of John Van Fossen against the State of Michigan.

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,
Sec'y of Senate.

Which message was laid on the table.

The bill was read twice and referred to the committee on the Judiciary, and the joint resolution read twice and laid on the table.

On motion,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Wednesday, February 7, 1855.

The Speaker called the House to order at 9 o'clock.

Roll called; a quorum present.

PETITIONS PRESENTED.

By Mr. White: of William Parker and 36 others, citizens of Leapeer county, praying for the organization of a new township.

Referred to the committee on Towns and Counties.

By Mr. Whitmore: of Mrs. E. W. Whitmore and 30 others, praying for the establishment of a female college.

Referred to the committee on Education.

By Mr. Mussey: of the President and Executive Committee of the State Agricultural Society, asking for an appropriation of \$2,000 by the State, to be paid out in premiums.

Referred to the committee on Agriculture and Manufactures.

By Mr. Lovell: of R. Crosby, A. H. Sprague, and 28 others, praying for the passage of a registration law.

Referred to the committee on Elections.

REPORTS OF STANDING COMMITTEES.

By Mr. White: the committee on Towns and Counties, to whom was referred Senate bill to amend an act entitled an act to amend an act entitled an act to incorporate the village of Coldwater, &c., beg leave to report that your committee have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, and ask to be discharged from further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. White: the committee on Towns and Counties, to whom was referred a Senate bill to change the name of the village of Ashley to New Baltimore, beg leave to report that your committee have had the subject of the bill under consideration, and have instructed their chairman to report the same bill back to the House without amendment, and ask to be discharged from the further consideration of the subject.

The report was accepted, committee discharged, and the bill laid on the table.

By Mr. White: the committee on Towns and Counties, to whom was referred Senate bill to organize the township of Goodland, in the county of Lapeer, beg leave to report that your committee have had under consideration the same bill, and report it back to the House without amendment, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. White, from the committee on Towns and Counties, reported back to the House the petition of A. C. Thayer and others, to set off certain lands to compose School District No. 14, and asked that the same be referred to the committee on Education.

Report accepted, and the petition so referred.

By Mr. Beecher: the special committee to whom was referred the subject of apportionment of Representatives to this House, have had the same under consideration, and instructed their chairman to respectfully report a bill for such purpose to the House, and ask that it do pass, and that your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill read a first and second time, and laid on the table.

By Mr. Beecher: the committee of Ways and Means, to whom was referred the petition of sundry religious societies in the city of Detroit, praying for the exemption of certain real estate from taxation, have had the same under consideration, and instructed their chairman to report a bill for the consideration of this House, without any recommendation thereof, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill read a first and second time, and laid on the table.

By Mr. McIntyre: the committee on Education, to whom was referred the House bill No. 52, to provide for and establish a system of primary schools, whereby a school shall be kept without charge for tuition at least three months in each year, in every school district in the State, as amended by the Senate, have, according to order, had the same under consideration, and instructed me, as their chairman, to report the same to the House without amendment, to recommend that the amendment made by the Senate be concurred in by the House, and that the bill thus amended be passed, and the committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendments concurred in, and the bill ordered engrossed for a third reading.

By Mr. McIntyre: the committee on Education, to whom was referred a manuscript bill passed by the Senate relative to public instruction, have, according to order, had the same under consideration, and instruct-

ed me, as their chairman, to report the same to the House, without amendment and without recommendation, and to ask that the committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. McIntyre: the committee on Banks and Incorporations, to whom was referred Senate bill No. 50, concerning churches and religious societies, establishing uniform rules for the acquisition, tenure and disposition of property conveyed or dedicated for religious purposes, and to repeal chapter 52 of the revised statutes, have, according to order, had the same under consideration, and instructed me, as their chairman, to report the same to the House, with an amendment, to ask the concurrence of the House in the amendments proposed by the committee, and to ask that the committee be discharged from the further consideration of the subject.

Amendment proposed by the committee on Banks and Incorporations:

1. Amend the manuscript portion of section 3, by striking out the word "regulation," and inserting in lieu thereof the word "congregation."

Report accepted, committee discharged, amendment adopted, and the bill ordered engrossed for a third reading.

By Mr. R. K. Divine: the committee on Roads and Bridges, to whom was referred Senate bill to repeal an act to incorporate the Paw Paw Plank Road Company, approved April 3, 1848, have carefully examined the petition and affidavit relating to the above subject, and do recommend that the bill pass, and the committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

The unanimous consent of the House being obtained,

On motion of Mr. Parsons,

Senate bill No. 16 was taken from the committee of the Whole and ordered to be read a third time.

Mr. N. Power, from the committee on Agriculture and Manufactures, reported as follows:

The committee on Agriculture and Manufactures, to whom was referred the bill for the establishment of a State Agricultural School, with instructions, according to order have had the same under consideration, and instructed their chairman to report that the committee have performed the duty assigned them, and report the bill back to the House, amended pursuant to instructions, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendments adopted, and the question being on the passage of the bill, the same was lost, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Barclay,
Beecher,
Brown,
Brownell,
Cady,
J. Divine,
Dunakin,
Duncan,
DuPuy,
Edwards,

Mr. Gilman,
Gregory,
Hall,
Hurd,
King,
Kirkland,
Littlejohn,
Lomison,
Lovell,
McIntyre,

Mr. Middlesworth,
D. N. Montague,
H. Montague,
Munsey,
N. Power,
Sutherland,
Wells,
White,
Whitmore,
Williams,

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NAYS.

Mr. Ashmun,
Beebe,
Chamberlain,
Chapel,
Chatfield,
Church,
R. K. Divine,
Eddy,
Enos,
Ewell,
Fitch,
Hathaway,
Hixon,

Mr. Ives,
Judd,
Lapham,
Luce,
Miller,
Mills,
Moorman,
Noble,
Parker,
Parsons,
Pettit,
P. Power,
Ralph,

Mr. Reynolds,
Ross,
Sanborn,
St. Aubin,
Smith,
Stout,
Strang,
Tiffany,
Tompkins,
Ward,
Wentzell,
Wilbur,
Speaker,

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Mr. Fitch moved to reconsider the last vote, and to lay the motion on the table.

Which motion prevailed.

Mr. Church moved to take from the table,
Resolution for the relief of Emery Beals,
Laid there on Monday last, and also,

A bill for the relief of John Blake,

Laid there January 31st.

Motion prevailed.

The resolution and the bill severally ordered to be read a third time.

On several motions,

House bills Nos. 62, 72, 94, 99 and 100; also, House resolution No. 4,

Were severally taken from the committee of the Whole, and ordered to a third reading.

A bill to amend an act entitled an act to incorporate the city of Adrian, &c.; also,

A bill to amend section 4 of an act to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road; also,

A bill to change the name of the First Presbyterian Society in the township of Grass Lake, in the county of Jackson; also,

Joint resolution for the relief of George Matthews,

Were severally taken from the table and ordered to a third reading.

House bills Nos. 95 and 104, were taken from the committee of the Whole, and laid on the table.

House bill No. 27 was taken from the table and referred, with two others on the same subject, to a select committee of two.

The Speaker appointed Messrs. Littlejohn and White said committee.

The hour for the special order having arrived, the same was postponed till 11 o'clock.

On motion of Mr. Atwood,

The committee of the Whole were discharged from the further consideration of House bill No. 164.

On motion,

Laid on the table.

On motion of Mr. Mussey,

House bill No. 31 was taken from the table, and referred to the committee of Ways and Means, with instructions to amend.

With the consent of the House, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 7, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the accompanying resolution, this day adopted by the Senate, and respectfully ask the action of the House thereon.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Resolved, That the House of Representatives be requested to return to the Senate, House bill No. 50, being,

A bill to incorporate the village of Trenton.

On motion of Mr. Parsons,

The bill was returned.

Mr. Brown offered the following resolution:

Resolved, That the President of the Board of State Auditors be requested to communicate to this House, with all convenient dispatch, whether the claim of John Van Fossen (now before the House,) has been presented, examined and decided upon by the Board of State Auditors; and, if any such action has been had, to report what action was had, and what decision the Board of Auditors came to in reference to the claim.

Lost.

Mr. Strang offered the following protest to the passage, by this House yesterday, of the "bill to repeal the act to organize the county of Emmet:"

I protest against the passage of the "bill to repeal the act to organize the county of Emmet," because it is without occasion, inexpedient and unconstitutional.

There has not been presented to this House a single petition of any one inhabitant of the county, for the repeal of the act under which it was organized.

The only petition asking any such action comes from the inhabitants of an adjoining county, and the sole reason which it gives for such action, is the desire of preventing the Mormons from settling and residing anywhere except on the islands.

As the Mormons have the same right to settle in any part of the State, as people of any other religious faith, this language of the petitioners can only be understood as an avowal of a determination, if the present legal government in that section of the State can be abolished, to drive the members of a particular faith, by lawless violence, from their chosen homes, and to prevent others from purchasing property and settling there.

If this House should, on this petition, though moved by different reasons, grant the prayer of this petition, the petitioners could not fail of taking the action of the House as a warrant for prosecuting their desires, so shamelessly avowed, and would have some right to look for any further legislation which may be necessary to shield them from punishment for the crimes which they are not ashamed to tell this House they design to commit.

The petition from Grand Traverse county does not ask for the repeal of the act to organize the county of Emmet, but that the main land in that county may be detached from the islands, and deserves the same consideration from this House, as would a petition from Oakland for the division of Monroe—utter contempt.

The only remaining petition on the subject, is that of the "Chiefs and braves of the Ottawa tribe of Indians," in which they are joined by less than a score of half-breeds and white men, temporarily residing with them, whose petition would be fully answered by either removing the county seat of Emmet county to the main land, or by dividing the county, making one county of the main land, and one of the islands.

If it was possible, it would be inexpedient to abolish an existing organized county. By this simple act all the property acquired by the county is lost, or reverts to the grantors. The holders of moneys and assets belonging to the county of Emmet, and to the townships organized under the same act, are discharged from all obligation to account for or pay over the same; the debtors of the county are released from their liabilities; the creditors of the county are deprived of all means of collecting their dues; the delinquent taxes are remitted, and the public buildings of the county and of all municipal corporations in it, such as school districts, cease to be the property of those who have contributed for their erection. Indictments for crimes committed with-

in the body of the county are quashed by this act, and a perpetual stay is ordered upon all suits and proceedings at law, whether pending before Justices of the Peace, Judge of Probate, Circuit Court Commissioner, or the Circuit Court; and the organization of new counties out of the same territory, will not cure a single one of these evils.

Evils of such magnitude ought to deter this House, if it possessed the power, from abolishing an existing county. But nothing can be more clear than that the Legislature does not possess the power to abolish an existing county.

By the revised constitution, article 10, section 6, it is provided that "no organized county shall ever be reduced, by the organization of new counties, to less than sixteen townships, as surveyed by the United States, unless, in pursuance of law, a majority of the electors residing in each county to be effected thereby, shall so decide." This law contains no provision for taking the decision of the electors, and its passage is a simple treading under foot of that provision of the constitution. For if the Legislature can repeal the act to organize a county, and re-organize the same territory into new and smaller counties, containing less than sixteen townships, then, in defiance of the constitution, the county of Macomb, the smallest county in the State, containing but thirteen townships, may, without the consent of the inhabitants, be divided, by first repealing the act by which it was organized, and then erecting two or more new counties out of the same territory.

Thus, the security which all the small and medium size counties have obtained by the constitution, against future division, is all lost, and by this precedent, a way is opened to divide any county in the State, whenever the interests of speculators in village property require the location of a new county seat.

Nor is this difficulty helped in the least by the bills which accompany this, for organizing the three new counties of Emmet, Charlevoix and Manistee, (Beaver Island,) for each of those counties is less than sixteen townships in extent, though each trenches upon other counties.

The proposed new county of Emmet will consist of but fourteen townships, as surveyed by the United States, one quarter of which is taken from Cheboygan, and three quarters from the present county of Emmet.

The proposed new county of Charlevoix, will consist of but a little short of fifteen townships, two of which are taken from Cheboygan, about nine from Emmet, and four from Antrim. The effect of this division is to reduce Antrim to less than thirteen townships of land.

The proposed new county of Manistee, (Beaver Island, &c.,) will consist of less than three full townships of land, a portion of which is taken from Leelanaw county, but the principal part from the present county of Emmet.

This simple statement of facts, which any one can assure himself of by five minutes inspection of a map, with these bills before him, must satisfy any one that this whole series of measures is utterly unconstitutional and unjust; yet, so ardently have they been pressed, that a portion of these bills have passed without ever having been read in the House.

As a reason for measures so high-handed, the committee who reported these bills say, that the original act to organize the county of Emmet, was unconstitutional; in that, the islands included in the county, are, by article XIX, section 1, of the constitution, included in the district of the Upper Peninsula, where it is considered, and it is nowhere questioned, that every part of the county was also included in that district; this pretense is sufficiently ridiculous.

But if this point was good, it would not vitiate nor in any way effect the act "to organize the county of Emmet," approved January 29, 1853; it would only vitiate the act by which Emmet county was made a part of the third judicial circuit.

But though the House has relieved itself from this indefensible position, by striking out the preamble of the "bill to repeal the act to organize the county of Emmet," in doing so, they have disclaimed the only reason which appears in our proceedings, for abolishing an existing organized county, except the only one contained in the petition from Mackinac, to-wit: the desire to persecute, without the fear of legal punishment, the members of a particular religious faith.

In behalf of the people of Emmet and Cheboygan counties, both of which are dismembered by this series of acts, whose representative I am, by every vote but one cast in both those counties, and in behalf of a sanctity of religious freedom, and the integrity of the constitution, I protest against the passage of this bill.

JAMES J. STRANG.

On motion of Mr. Parsons,

The committee of the Whole were discharged from the consideration of all the bills now on the general order.

Mr. Beecher moved to reconsider the vote on the last motion.

Pending which,

Mr. Beebe obtained the unanimous consent of the House to introduce,

A bill to provide for the sale of certain land in the village of Jackson, belonging to the State.

Which bill was read a first and second time, and referred to the committee on the Judiciary.

Pending the question on the motion to reconsider, the hour of 11 having arrived, the House went into consideration of the

SPECIAL ORDER.

Being, a bill to establish a Female College,

Mr. Fitch occupying the Chair, as Speaker *pro tem*.

Mr. McIntyre moved to amend section 1, by striking out of the second line thereof, the words "Michigan Female College," and inserting in lieu thereof the words "College of the Women of Michigan."

Lost.

Mr. McIntyre moved to amend by adding the words "including domestic economy," to the end of section 2.

Carried.

Mr. Parker moved to amend as follows:

Annex as a part of section 2, the following, to-wit: "including a department of Medicine and Obstetrics."

Lost.

Mr. Parker moved to amend section 4, line 2, between the words "persons" and "who," insert the words "three of whom shall be women."

Mr. McIntyre moved to amend section 6, by inserting in line 2, after the word "purchase," the following words: "receive gifts by grant, devise, bequest, or otherwise."

Carried.

Mr. Parker moved to amend section 7, by adding the words, "the President, Professors and Teachers, shall be women."

Mr. McIntyre moved as a substitute to add the following:

"Provided, That in the appointment of Professors and Teachers, women shall be preferred to men as far as practicable, and consistent with the best interests of the College.

Lost.

Mr. Littlejohn moved as a substitute:

"Provided, That women shall be held eligible to an election for teachers."

Carried.

Mr. Littlejohn moved to amend section 13, by striking out the words "such sources," in line 4, and inserting "from entrance and tuition fees."

Carried.

Mr. McIntyre moved to amend section 15, by inserting in the 4th line thereof, after the word "place," the words "for such meeting."

Carried.

Mr. Tiffany moved to amend section 16, by striking out the words "to visit the various places of importance in the State and," in line 2.

Carried.

Mr. Parker moved to amend section 16, line 1, by striking out the words "of their number," and inserting "suitable women."

Lost.

Mr. Dunakin moved to amend section 17, line 2, by striking out the words "three hundred thousand," and inserting "one hundred and fifty thousand."

Lost.

Mr. McIntyre moved to strike out section 17, and insert in lieu thereof the following:

"Sec. 17. For the purpose of providing means to procure a site for said college, prepare and fence and ornament the ground, erect and furnish the necessary buildings, establish a library and procure the necessary appendages and purchase books for the same, to procure the needful apparatus and establish a cabinet for said college, the supervisor of each city, township, ward and district in the State, shall, in the year one thousand eight hundred and fifty-five, assess upon the taxable property of his city, township, ward or district, one-half of one mill on each dollar of the valuation thereof, which shall be collected and re-

turned in the same manner as State taxes are collected and returned, and no more money shall be expended for the objects hereinbefore in this section mentioned, than shall be raised by the said tax; and for the purpose of endowing said college, the supervisor of each township, city, ward or district, shall in each year, for three successive years after the year one thousand eight hundred and fifty-five, assess upon the taxable property of his township, city, district or ward, as the case may be, one-half of one mill on each dollar of the valuation thereof, which shall be collected and returned in the same manner as State taxes are collected and returned; and it shall be the duty of the State Treasurer to credit the female college fund with the whole amount of the said taxes collected and returned, and also with all of said taxes returned for non-payment; which money thus raised for the endowment of said college, shall be and remain a permanent fund, the interest and income whereof only shall be applied to the support and maintenance of said college, to increase its library and apparatus, enlarge its cabinet, repair its buildings and fences, and to embellish its grounds."

Pending which,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

The Speaker *pro tem.* announced the following:

COMMUNICATION FROM THE EXECUTIVE.

EXECUTIVE OFFICE,
Lansing, February 7, 1855. }

I have the honor to inform both branches of the Legislature, that I shall be prepared to make a nomination for the office of Adjutant General, whenever it shall be the the pleasure of the two Houses to meet in joint convention.

KINSLEY S. BINGHAM.

The House resumed the consideration of the special order, being,
A bill to establish a female college.

Mr. Littlejohn moved to amend the substitute by adding the following:

"*Provided*, That a sum equal to the amount by this section authorized to be raised, shall be transferred by the State Treasurer from the Swamp Land Fund, when received, for the extinguishment of the principal and interest of the State debt."

Pending which,

Mr. R. K. Divine moved to lay the amendment and substitute on the table.

Which motion prevailed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Gilman, | Mr. Pettit, |
| Beecher, | Gregory, | Ralph, |
| Brown, | Hathaway, | Reynolds, |
| Brownell, | Ives, | Ross, |
| Chapel, | Judd, | Sanborn, |
| Church, | Lapham, | St. Aubin, |
| R. K. Divine, | Lovell, | Sherman, |
| Dunakin, | Luce, | Smith, |
| Duncan, | Middlesworth, | Strang, |
| Eddy, | Miller, | Sutherland, |
| Enos, | D. N. Montague, | Tompkins, |
| Ewell, | H. Montague, | Wendell, |
| Fitch, | Noble, | |

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NAYS.

| | | |
|--------------|-------------|---------------|
| Mr. Atwood, | Mr. King, | Mr. P. Power, |
| Barclay, | Kirkland, | Shier, |
| Chamberlain, | Littlejohn, | Stout, |
| Chatfield, | Lomison, | Tiffany, |
| DuPuy, | McIntyre, | Ward, |
| Edwards, | Mills, | Wells, |
| Hall, | Moorman, | Whitmore, |
| Hixon, | Parker, | Williams, |
| Hurd, | N. Power, | Speaker, |

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The motion to lay the amendment on the table prevailing, the whole matter was laid on the table.

The motion to reconsider the vote, discharging the committee of the Whole from the consideration of all bills on the general order, pending when the special order was reached, prevailed.

The question recurring on the motion to discharge the committee of the Whole,

The same was lost.

Mr. Gregory, according to previous notice, asked leave to introduce,

A bill to provide for the election of county auditors in the county of Wayne.

The bill was read a first and second time, and,

On motion of Mr. Gregory,

The rules were suspended, and the bill ordered to a third reading.

On motion of Mr. McIntyre,

A bill to amend chapter 58, title 11 of the revised statutes of 1846, relative to the power of school districts in furnishing fuel for schools,

Was taken from the table, and (the rules being suspended,) read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Judd, | Mr. P. Power, |
| Beecher, | King, | Ralph, |
| Cady, | Lapham, | Ross, |
| Chatfield, | Littlejohn, | Sanborn, |
| Church, | Lomison, | St. Aubin, |
| J. Divine, | Lovell, | Shier, |
| R. K. Divine, | Luce, | Smith, |
| Dunakin, | McIntyre, | Stout, |
| Duncan, | Miller, | Strang, |
| DuPuy, | Mills, | Sutherland, |
| Edwards, | D. N. Montague, | Tiffany, |
| Fitch, | H. Montague, | Tompkins, |
| Gilman, | Moorman, | Ward, |
| Gregory, | Noble, | Wells, |
| Hall, | Parker, | Whitmore, |
| Hixon, | Parsons, | Williams, |
| Hurd, | Pettit, | Speaker, |
| Ives, | N. Power, | |

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NAYS.

| | | |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Chapel, | Mr. Kirkland, |
| Barclay, | Eddy, | Middlesworth, |
| Brown, | Enos, | Reynolds, |
| Brownell, | Ewell, | Wendell, |
| Chamberlin, | Hathaway, | |

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The bill was ordered to take immediate effect.

On motion of Mr. McIntyre,

A bill to prevent the issue and sale of fraudulent stock by incorporated companies,

Was taken from the table.

Amended by striking out the words "benefit of the primary school funds," and inserting "libraries," in lieu thereof; also by filling first blank in section one with "ten," and the second with "one;" in section two, the first blank with "ten," and the second with "one."

And the bill, as amended, ordered to be read a third time.

Mr. Parsons moved to strike out section two.

Mr. Edwards moved to recommit the bill to the committee on the Judiciary, with instructions to report such additional amendments as from the course of this discussion they may deem desirable.

Lost.

The motion to strike out, prevailed.

Mr. Parsons moved to amend section 1 by adding to the end thereof, the following:

"And no fees shall be charged or requested to be paid by any such Judge for any services rendered by him in the performance of any of his duties."

Carried.

The bill was then ordered to a third reading.

With the consent of the House, the Chair announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, February 7, 1855. }

To the Speaker of the House of Representatives:

SIR—I return herewith,

A bill to incorporate the village of Trenton,

Which the Senate have passed, with an amendment, by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

I. W. WILDER,

Secretary of the Senate.

The amendment was concurred in, and the bill referred to the select committee on Village Incorporations.

On several motions,

House bills Nos. 56, 83, 92 and 93 were severally taken from the committee of the Whole, and ordered to a third reading.

Mr. Beecher moved to reconsider the vote by which House bill No. 4, and House bill No. 28 were indefinitely postponed.

Lost.

With the consent of the House, the Chair announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 7, 1855. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the accompanying resolution this day adopted by the Senate, and respectfully ask the concurrence of the House therein.

Very respectfully,

L. W. WILDER,

Sec'y of Senate.

Resolved, (the House concurring,) That the Senate and House of Representatives will meet the Executive in joint convention, at 7 o'clock this evening, to receive his nomination for the office of Adjutant General.

On motion of Mr. Parsons,

The resolution was concurred in.

On motion of Mr. Beecher,

The order of business was suspended, and the Chair announced the

THIRD READING OF BILLS.

Joint resolution relative to the claim of Andrew Harvie,

Was read a third time, and the vote being taken on its passage, the same was lost, by yeas and nays, as follows, a majority not voting for it:

YEAS.

| | | |
|--------------|-----------------|---------------|
| Mr. Barclay, | Mr. Edwards, | Mr. Reynolds, |
| Beebe, | Fitch, | St. Aubin, |
| Beecher, | Gilman, | Sherman, |
| Brown, | Hixon, | Smith, |
| Brownell, | Lapham, | Sutherland, |
| Cady, | Lomison, | Wells, |
| Chamberlin, | Lovell, | Wendell, |
| DuPuy, | D. N. Montague, | Wilbur, |
| Eddy, | Parsons, | Speaker, |

27

NAYS.

| | | |
|-------------|---------------|-------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Mussey, |
| Ashmun, | Hurd, | Noble, |

Church,
R. K. Divine,
Dunakin,
Duncan,
Enea,
Ewell,
Gregory,
Hall,

King,
Kirkland,
Littlejohn,
Luce,
Middlesworth,
Miller,
H. Montague,
Moorman,

Parker,
N. Power,
P. Power,
Ralph,
Stout,
Tiffany,
White,

29.

On motion of Mr. Littlejohn,

The vote was reconsidered, and the question recurring on the passage of the resolution, the same was passed, by yeas and nays, as follows:

YEAS.

Mr. Barclay,
Beebe,
Bescher,
Brown,
Brownell,
Cady,
Chamberlin,
Chapel,
Church,
J. Divine,
R. K. Divine,
DuPuy,
Eddy,
Edwards,
Enea,
Fitch,
Gilman,
Gregory,

Mr. Hall,
Hathaway,
Hixon,
Hurd,
Judd,
King,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
D. N. Montague,
Munsey,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
Ralph,
Reynolds,
Rosa,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Wells,
Wendell,
Whitmore,
Wilbur,
Speaker,

52

NAYS.

Mr. Atwood,
Ashmun
Dunakin,
Duncan,

Mr. Ewell,
McIntyre,
Mills,
H. Montague,

Mr. Moorman,
Tiffany,
Tompkins,
White,

12

The joint resolution was, by a two-thirds vote, ordered to take immediate effect.

House bill No. 84, being,

A bill for the maintenance and regulation of a bridge at Ives' Dry Dock, in the town of Springwells,

Was read a third time, and,

On motion of Mr. Edwards,

Recommended to the committee on Roads and Bridges, with instructions to report the following amendments forthwith:

Amend section 2 by adding the following clause to the end of the section: "and on no occasion shall said bridge be kept open longer than half an hour."

Amend section 3 by inserting in the second line, after the word "shall," the following: "consist of good three inch oak plank, eight feet wide, properly laid; and said plank shall be laid on the outer side of the land owned and used by said Ives, for said dry dock, and."

Also, by adding to the end of said section 3, the words, "and said side road shall be under the supervision of the Highway Commissioners of the town of Springwells."

Amend section 5 by striking out the word "of," in fifth line, before the word "ten," and inserting the words "not exceeding."

A bill to amend an act entitled an act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company, approved March 28, 1846,

Was announced for a third reading.

The bill was then read a third time and passed, by a vote of two-thirds of all the members elect, as follows:

YEAS

| | | |
|-------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hall, | Mr. Pettit, |
| Aahmun, | Hathaway, | N. Power, |
| Beebe, | Hixon, | P. Power, |
| Beecher, | Hurd, | Ralph, |
| Brown, | Ives, | Reynolds, |
| Brownell, | Judd, | Ross, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Littlejohn, | St. Aubin, |
| Chapel, | Lomison, | Sherman, |
| Church, | Lovell, | Shier, |
| J. Divine, | Luce, | Stout, |
| Dunakin, | McIntyre, | Strang, |
| Duncan, | Middleworth, | Sutherland, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | D. N. Montague, | Tompkins, |
| Edwarda, | H. Montague, | Wells, |
| Enos, | Moorman, | Wendell, |
| Ewell, | Mussey, | Whitmore, |
| Fitch, | Noble, | Wilbur, |
| Gilman, | Parker, | Williams, |
| Gregory, | Parsons, | Speaker, |

NAYS.

Mr. Mills,

1

Mr. R. K. Divine made the following report:

The committee on Roads and Bridges, to whom was referred House bill No. 84, with instructions to report sundry amendments, have had the same under consideration, and report said bill back, with the said amendments thereto attached.

Report accepted, committee discharged, amendments adopted, and the bill, as amended, read a third time and passed.

Mr. Church moved to reconsider the last vote.

Mr. Sherman moved to lay the motion on the table.

Which motion prevailed.

Mr. Stout made the following report:

The committee on Engrossment and Enrollment, report as correctly engrossed.

A bill to organize the county of Beaver Island.

Also, as correctly enrolled, signed, and presented on Tuesday to the Governor for approval,

An act to amend an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad Company, approved January 30, 1847.

Senate bill No. 50, being,

A bill concerning churches and religious societies, establishing uniform rules for the acquisition, tenure, control and disposition of property conveyed or dedicated for religious purposes, and to repeal chapter fifty-two of the revised statutes,

Was read a third time and passed, as follows:

YEAS.

Mr. Barclay,
Beebe,
Beecher,
Brown,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
Eddy,
Edwards,
Fitch,

Mr. Hixon,
Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lumison,
Lovell,
Luca,
McIntyre,
Middlesworth,
D. N. Montague,
H. Montague,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Shier,
Smith,
Strang,
Sutherland,
Wells,
White,

Gilman,
Gregory,
Hall,
Hathaway,

Moorman,
Mussey,
Noble,
Parker,

Wilbur,
Williams,
Speaker,

50

NAYS.

Mr. Ashmun,
Brownell,
Chapel,

Mr. Ewell,
Mills,
St. Aubin,

Mr. Stout,
Wendell,
Whitmore,

9

The bill was ordered to take immediate effect.

Senate bill No. 57, being,

A bill to authorize the Michigan Southern Railroad Company to consolidate with the Northern Indiana Railroad Company,

Was read a third time and passed, by a vote of two-thirds of all the members, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,

Mr. Ewell,
Fitch,
Gilman,
Gregory,
Hall,
Hathaway,
Hixon,
Hurd,
Ives,
Judd,
Lapham,
Littlejohn,
Lovell,
Luce,
Middlesworth,
Miller,
H. Montague,
Moorman,
Mussey,

Mr. Noble,
Parker,
Pettit,
N. Power,
P. Power,
Ralph,
Roes,
Sanborn,
St. Aubin,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,
Williams,
Speaker,

57

NAYS.

Mr. King,
Kirkland,

Mr. D. N. Montague,
Reynolds,

Mr. Sherman,
Whitmore,

6

Senate bill No. 30, being,

A bill to amend the charter of the Detroit, Romeo and Port Huron Railroad Company,

Was read a third time and passed, by a two-thirds vote of all the members, as follows:

YEAS.

Mr. Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell
Cady,
Chamberlin,
Chapel,
Chatfield,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,
Gilman,

Mr. Gregory,
Hathaway,
Hixon,
Hurd,
Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Parker,
Parsons,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,
Williams,
Speaker,

59

NAYS.

Mr. Church,

Mr. Noble,

Mr. Whitmore,

3

A bill relating to Public Instruction,

Was read a third time and lost, by yeas and nays, as follows :

YEAS.

Mr. Beebe,
Beecher,
Cady,
R. K. Divine,
Dunakin,
Edwards,
Hall,
Hurd,
Ives,
Judd,

Mr. Lapham,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
Moorman,
Mussey,
Noble,
Parker,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Sanborn,
Strang,
Wells,
Wendell,
Speaker,

29

NAYS.

Mr. Ashmun,
Barclay,
Brown,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
Duncan,

Mr. Ewell,
Fitch,
Gilman,
Gregory,
Hathaway,
Hixon,
King,
Kirkland,
Littlejohn,

Mr. Parsons,
Reynolds,
Ross,
St. Aubin,
Shier,
Smith,
Sutherland,
Tiffany,
Tompkins,

DePuy,
Eddy,
Enos,

Lomison,
Lovell,
H. Montague,

Whitmore,
Wilbur,

35

Joint resolution relative to a new certificate for Primary School
Lands,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Ohatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Fitch,
Gilman,
Gregory,
Hall,

Mr. Hathaway,
Hixon,
Hurd,
Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Munsey,
Noble,
Parker,

Mr. Parsona,
Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Wells,
Wendell,
Wilbur,
Williams,
Speaker,

59

NAYS.

Mr. Ewell,

Mr. White,

2

The resolution was ordered to take immediate effect.

With the consent of the House, the Chair announced the following
message from the Senate:

SENATE CHAMBER,
Lansing, February 7, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to return to the House of Rep-
resentatives,

1. A bill to amend an act entitled an act to incorporate the village
of Kalamazoo.

2. Joint resolution for the relief of Eliza Maria and Joseph Dutcher.

3. House bill No. 65, a bill to supply the township school libraries
of the State with the Michigan Journal of Education and Teachers'
Magazine.

4. House bill No. 76, a bill to take township six north, of range fifteen west, from the township of Ottawa, and annex the same to the township of Holland, in the county of Ottawa.

5. House bill No. 61, a bill to amend an act entitled an act to incorporate the village of Romeo.

6. House bill No. —, a bill to repeal the act to organize the county of Emmet, approved January 29, 1853.

The first named bill, with an amendment, being to strike out all relating to schools, in which the concurrence of the House is respectfully asked.

All of which the Senate have concurred in by a majority vote of all the Senators elect, and all ordered to take immediate effect by a vote of two-thirds of all said Senators.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The several bills were ordered to be enrolled.

Joint resolution authorising the Commissioner of the State Land Office to issue a new certificate of certain Primary School Lands,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chapel,
Church,
J. Divine,
R. K. Divine
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,

Mr. Hall,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,

Mr. Parsons,
Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,
Whitmore,
Wilbur,

Fitch,
Gilman,
Gregory,

Noble,
Parker,

Williams,
Speaker,

59

NAYS.

0

The resolution was ordered to take immediate effect.

Joint resolution relative to new certificate for certain primary school lands,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Barclay,
Beebe,
Beecher,
Brown,
Chatfield,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Fitch,
Gilman,
Gregory,
Hathaway,

Mr. Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
Miller,
Mills,
D. N. Montague,
Mussey,
Parker,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Sherman,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,
Wilbur,
Williams,
Speaker,

46

NAYS.

Mr. Ashmun,
Cady,
Chapel,
Ewell,

Mr. H. Montague,
Moorman,
Parsons,
Shier,

Mr. Stout,
Strang,
White,
Whitmore,

12

The resolution was ordered to take immediate effect.

On motion,

The House adjourned.

EVENING SESSION.

The House met at 7 o'clock.

Roll called; a quorum present.

Mr. Beecher moved the appointment of a committee to wait upon the Senate, and inform that body that the House were ready to receive the Senate in joint convention.

Carried.

The Speaker appointed Messrs. Beecher and Parsons as the committee.

The committee retired, and after a short absence returned, and reported that they had discharged the duty imposed upon them by the House, and that the Senate would meet the House in joint convention forthwith.

The Senate was then announced, and the Senators took their seat in joint convention.

JOINT CONVENTION.

The President of the Senate in the Chair.

On motion of Mr. Beecher,

The President appointed Mr. Beecher and Senator Blair a committee to wait upon the Governor, and inform him that the two Houses had met in joint convention, and were ready to receive any communication he might make.

After a short absence, the committee returned, and announced that they had performed the duty required of them, and that the Governor would communicate in writing forthwith.

A communication from the Governor was received through the hands of his Private Secretary, and announced by the President, as follows:

EXECUTIVE OFFICE, }
Lansing, February 7, 1855. }

To the Legislature:

I hereby nominate Frederick W. Curtenius, of Kalamazoo, to the office of Adjutant General of this State.

KINSLEY S. BINGHAM

The question being on advising and consenting to the nomination made by the Governor,

The Secretary of the Senate called the roll of the Senators, with the following result:

YEAS.

Mr. Alvord,
Arms,
Beckwith,
Bills,
Blair,
Boies,

Mr. Cressy,
Fitch,
Foster,
Goodrich,
Goodyear,
Hooker,

Mr. Ladd,
Montgomery,
Paine,
Pattison,
Rexford,
Sullivan,

Brockway,
Brown,
Conger,

Hussey,
Kenyon,

Tripp,
C. Upson,

25

NAYS.

0

The Clerk of the House called the roll of the House, with the following result:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Oady,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Gilman,
Gregory,

Mr. Hall,
Hathaway,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,

Mr. Parsons,
Petitt,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wendell,
White,
Wilbur,
Williams,
Speaker,

65

NAYS.

Mr. Fitch,

Mr. Hixon,

Mr. Sherman,

3

The President then announced that the joint convention had advised with and consented to the nomination of the Governor.

No other business appearing, the joint convention adjourned *sine die*.

I. W. WILDER,

Sec'y of Senate.

H. BARNES,

Clerk of the House of Rep's.

The Senate having retired, the Speaker announced to the House the result of the proceedings in joint convention.

Mr. Church asked and obtained the unanimous consent of the House to introduce,

A joint resolution for the relief of Alexander R. Tiffany,

Which resolution was read a first and second time, and referred to the committee on Public Lands.

The Speaker, with unanimous consent, announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, February 6, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

1. A bill to provide for the taxation of certain railroad companies.
2. A bill to amend section 1 of chapter 68 of the revised statutes of 1846.
3. A bill to amend section 57 of chapter 90 of the revised statutes of 1846.
4. A bill to revive and re-enact section 18 of chapter 94 of the revised statutes of 1846.
5. A bill to establish and lay out a State road from Lower Saginaw to the village of Goodrich.
6. Joint resolution authorizing the Board of State Auditors to allow certain claims against the State.
7. A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853.
8. A bill to organize the county of Aranac.
9. A bill to organize the township of Beach, in the county of Lepeer.
10. A bill to detach a portion of Caledonia, in the county of Shiawassee, and attach the same to Owosso, in said county.
11. A bill to organize certain townships in Ottawa county.
12. A bill relative to the Hillsdale and Indiana Plank Road Company.
13. A bill to provide for repairing and finishing the State Prison, and for the construction of cells therein.
14. A bill to authorize a conveyance of certain land to the German members of the Methodist Episcopal Church of Lansing, and to remit the debt unpaid for the same.

15. A bill to provide for the incidental expenses of the Legislature.
16. A joint resolution authorizing school district number seven, in the township of Tecumseh, to loan money.
17. A bill to organize the town of Mount Morris, in the county of Genesee.
18. A bill to incorporate Teachers' Associations.
19. A bill to incorporate the village of East Saginaw.
20. A bill relative to plank road companies.

All of which the Senate have passed by a majority vote of all the Senators elect—except the last three, which have passed by a two-thirds vote of said Senators; and by a like vote of two-thirds, have ordered the 11th, 12th, 13th, 14th, 15th, 16th, 17th and 18th of said bills to take immediate effect; and the 19th and 20th to take effect in thirty days.

In which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

All of the bills transmitted were read a first and second time, and appropriately referred, except the 10th named, which was,

On motion of Mr. Parsona,

Laid on the table.

The order of business being the

THIRD READING OF BILLS,

Joint resolution relative to certain appropriations of Public Lands made by the Legislature in the year 1848,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|---------------|-------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Pettit, |
| Ashmun, | Hixon, | N. Power, |
| Barclay, | Hurd, | P. Power, |
| Beecher, | Ives, | Ralph, |
| Brown, | Judd, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Cady, | Lapham, | Sanborn, |
| Chatfield, | Littlejohn, | St. Aubin, |
| Church, | Lovell, | Sherman, |
| J. Divine, | Luce, | Shier, |
| Dunakin, | McIntyre, | Smith, |
| Duncan, | Middlesworth, | Stout, |

| | | |
|----------|-----------------|-------------|
| DuPuy, | Miller, | Sutherland, |
| Eddy, | Mills, | Tiffany, |
| Edwards, | D. N. Montague, | Tompkins, |
| Enos, | Moorman, | Ward, |
| Ewell, | Mussey, | Wendell, |
| Gilman, | Noble, | White, |
| Gregory, | Parker, | Williams, |
| Hall, | Parsons, | Speaker, |

60

NAYS.

Mr. Chapel, Mr. Lomison, Mr. Strang, 3

Joint resolution authorizing the Commissioner of the State Land Office to issue a new certificate of certain Normal School Lands,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hall, | Mr. P. Power, |
| Beecher, | Hathaway, | Ralph, |
| Brown, | Hixon, | Reynolds, |
| Brownell, | Hurd, | Ross, |
| Cady, | Ives, | Sanborn, |
| Chatfield, | Judd, | St. Aubin, |
| Church, | Kirkland, | Sherman, |
| J. Divine, | Lapham, | Shier, |
| Dusakin, | Littlejohn, | Smith, |
| Duncan, | Lomison, | Strang, |
| DuPuy, | Lovell, | Sutherland, |
| Eddy, | Middlesworth, | Tiffany, |
| Edwards, | D. N. Montague, | Tompkins, |
| Enos, | H. Montague, | Ward, |
| Ewell, | Mussey, | Wendell, |
| Fitch, | Noble, | Williams, |
| Gilman, | Parker, | Speaker, |
| Gregory, | N. Power, | |

53

NAYS.

Mr. Ashmun, Mr. Milla, Mr. Stout,
McIntyre, Moorman, White,
Miller, Pettit, 8

The resolution was ordered to take immediate effect.

On motion,

The House adjourned.

Lansing, Thursday, February 8, 1855.

The Speaker called the House to order at 9 o'clock.

Prayer by the Rev. Mr. Franklin.

Roll called; a quorum present.

Leave of absence was granted to Messrs. Gilman and Hathaway.

PETITIONS PRESENTED.

By Mr. Parker: of Edwin Comstock and 18 others, men, and Sarah M. Moore and 27 others, women, inhabitants of Lenawee county, praying the necessary incipient steps to extend to women an equal right to the elective franchise with men.

Referred to the committee on Elections.

By Mr. Lomison: of Ezra Cole, Daniel H. Wheeler, and 25 others, citizens of St. Joseph county, against learning mechanic trades to convicts in the State Prison.

Referred to the committee on State Prison.

By Mr. Cady: the resolutions of the common council of the city of Monroe.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. McIntyre, from the committee on Education, to whom was referred the Senate joint resolution to authorize School District No. 7, in the township of Tecumseh, to loan money, have, according to order, had the same under consideration, and instructed me as their chairman to report the same to the House without recommendation, and without amendment, and your committee ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the joint resolution ordered to a third reading.

By Mr. McIntyre: the committee on Education, to whom was referred the bill passed by the Senate to incorporate teachers' associations, have, according to order, had the same under consideration, and instructed me, as their chairman, to report the same to the House without amendment, and to recommend its passage, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. Beecher: the committee of Ways and Means, to whom was referred,

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853,

Have had the same under consideration, and instructed their chairman to respectfully report the same back to the House without amendment, and ask that it do pass, and that your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to be read a third time.

By Mr. McIntyre: the committee on Banks and Incorporations, to whom was referred the bill passed by the Senate, to provide for the taxation of certain railroad companies, have, according to order, had the same under consideration, and instructed me as their chairman to report the same to the House with an amendment, to request the concurrence of the House in said amendment, and ask that the committee be discharged from the further consideration of the subject.

Amendment proposed by the committee on Banks and Incorporations:

Amend section 1 by inserting in the 7th line from the end of said section, after the word "incorporation," the words, "or any other law of this State."

Report accepted, amendments adopted, and the bill ordered to a third reading.

By Mr. Beecher: the committee of Ways and Means, to whom was referred,

A bill relative to the disposition of the surplus funds in the State Treasury,

Have had the same under consideration, and instructed their chairman to report the same back without amendment, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. Beecher: the committee of Ways and Means, to whom was referred,

A bill to provide for the incidental expenses of the Legislature,

Have had the same under consideration, and instructed their chairman to respectfully report the same back to the House without amendment, and ask that it do pass, and that your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. Enos: the committee on Printing would beg leave to report that they have procured the translation and publication of the messages of the Governor and ex-Governor into the German and French languages, and five hundred copies of each have been furnished the House. The committee would further report that they contracted for the translation of the same into the Chippewa language, but that nothing has been heard from the person employed, and the time in which the work was to be done is now past. Your committee were unable to procure the translation into the Holland language.

All of which is respectfully submitted.

Report accepted, and committee discharged.

By Mr. Stout: the committee on Engrossment and Enrollment report as correctly enrolled, signed and presented on Wednesday to the Governor for approval,

An act to provide for the improvement of the mouth of the Ontonagon river; also,

An act making appropriations for the salaries of State Officers for the years 1855 and 1856; also,

An act to provide for laying out private roads; also,

An act for the relief of school districts; also,

An act to authorize Isaac Turner to purchase the south half of lot No. 2, section 45, town 7 north, of range 12 west; also,

Joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for the year 1855; also,

An act to amend an act entitled an act to organize the county of Midland, approved March 29, 1850; also,

An act to extend certain rights and privileges to persons who are tax payers, but not qualified voters in school districts; also,

An act to provide for the collection and return of taxes in townships 9 and 10 north, of range 4 west, in the county of Gratiot, for the year 1854, and to extend the time thereof; also,

An act to provide for reporting cases determined by the Supreme Court; also,

An act to authorize mining companies to subscribe and take stock in plank and rail roads, and to regulate taxation thereon; also,

An act to annex certain portions of the township of Grass Lake, county of Jackson, to the township of Napoleon.

By Mr. Littlejohn: Minority report from the select committee on the apportionment bill.

The undersigned, members of the said select committee, respectfully report that they dissent from the ratio fixed in the bill as reported by the majority, and the arrangement of Representative Districts consequent thereon. The undersigned believe that the ratio designated in the bill would be highly injurious to a large number of the less populous counties. The undersigned would recommend the ratio most equal in its operation to be 7,000, and a moiety thereof, in case of fractional population in different counties.

F. J. LITTLEJOHN,
ANDREW PARSONS.

By Mr. White: the committee on Towns and Counties, to whom was referred,

A bill to organize the township of Mount Morris, in the county of Genesee,

Beg leave to report that your committee have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, and ask to be discharged.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. White: the committee on Towns and Counties, to whom was referred the petition of P. R. Phillips and others, citizens of Clinton county, asking to become attached to the town of Essex, beg leave to report that your committee have had the subject of the petition under consideration, and have instructed their chairman to report a bill to the House in accordance with the prayer of the petitioners, and recommend that it do pass, and the committee be discharged.

Report accepted, committee discharged, and the bill read a first and second time, and laid on the table.

By Mr. White: the committee on Towns and Counties, to whom was referred a Senate bill to organize certain townships in Ottawa county, beg leave to report that your committee have had the same under consideration, and have instructed their chairman to report it back to the House without amendment, and ask that your committee be discharged, &c.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. White: the committee on Towns and Counties, to whom was referred a Senate bill to organize the township of Beech, in Lapeer county, beg leave to report that your committee have had the same bill under consideration, and have instructed their chairman to report the same back to the House with amendments, and ask the House to concur therein, and recommend that it do pass, and the committee ask to be discharged, &c.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. R. K. Divine, from the committee on Roads and Bridges, to whom was referred Senate bill to establish a State Road from Lower Saginaw to the village of Goodrich, have had the same under consideration, and have instructed their chairman to report the same back without amendment, and recommend that it do pass, and ask to be discharged.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. R. K. Divine: the committee on Roads and Bridges, to whom was referred Senate bill relative to the Hillsdale and Indiana Plank Road Company, have had the same under consideration, and have instructed their chairman to report the same back without amendment, and recommend that it do pass, and ask to be discharged.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. R. K. Divine: the committee on Roads and Bridges, to whom was referred Senate bill No. 43,

A bill relative to plank road companies,

Have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged.

Report accepted, committee discharged, and the bill ordered to a third reading.

By Mr. Gregory: the committee on Harbors, to whom was referred the petition of Joseph Tromble and 35 others, praying for a law to regulate the fisheries on the Saginaw river, respectfully report that they have had the same under consideration, and not being able to perceive the necessity or utility of the legislation asked for, and believing that the advanced stage of the session will not justify the introduction of any new bills, they have instructed me to report adversely to the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

Report accepted, and the committee discharged.

By Mr. Tiffany: the Judiciary committee, to whom was referred,

A bill establishing the office of assistant supervisor for the township of Eaton Rapids, county of Eaton,

Report said bill back to the House, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. Tiffany, from the committee on the Judiciary, to whom was referred Senate bill No. 48, to provide for the transfer of causes from one circuit court to another in certain cases; also Senate bill in manuscript, to amend section 80 of chapter 16 of revised statutes of 1846, relative to constables' bond, have instructed me to report the same back with a recommendation that they pass; they have also instructed me to report a bill relative to married women, of which they recommend the passage.

Report accepted, committee discharged, the last named bill read a first and second time, and all ordered to a third reading.

Mr. Sanborn, from the committee on Public Lands, have had under consideration,

A bill to provide for the disposition of the swamp lands in the counties of Midland and Saginaw,

And through their chairman report the same back, and recommend that it do not pass, and ask to be discharged; also,

A bill to provide for the sale to David S. Waters of certain salt spring lands, at the appraised value thereof,

And recommend that it do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, the first named bill laid on the table, and the last ordered to a third reading.

By Mr. Littlejohn: the committee on State Affairs, to whom was referred a joint resolution authorizing the Board of State Auditors to allow and pay certain claims &c., recommend the passage of the same, and ask to be discharged.

Report accepted, committee discharged, and the rules being suspended, the joint resolution was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hall, | Mr. Mussey, |
| Ashmun, | Hixon, | Noble, |
| Barclay, | Hurd, | Parker, |
| Beebe, | Ives, | Pettit, |
| Beecher, | King, | Ralph, |
| Brown, | Kirkland, | Reynolds, |
| Brownell, | Lapham, | Ross, |
| Cady, | Littlejohn, | Shier, |
| Chamberlin, | Lomison, | Smith, |
| Chatfield, | Lovell, | Strang, |
| Church, | Luce, | Tompkins, |
| J. Divine, | McIntyre, | Ward, |
| R. K. Divine, | Middlesworth, | Wells, |
| Dunakin, | Miller, | Wendell, |
| Duncan, | Mills, | Whitmore, |
| Eddy, | D. N. Montague, | Wilbur, |
| Edwards, | H. Montague, | Williams, |
| Enos, | Moorman, | Speaker, |
| Fitch, | | |

56

NAYS.

| | | |
|-------------|--------------|--------------|
| Mr. Chapel, | Mr. Gregory, | Mr. Parsons, |
| Ewell, | | |

4

The joint resolution was, by a two-thirds vote, ordered to take immediate effect.

By Mr. Littlejohn: The committee on State Affairs, to whom was referred the bill to authorize the conveyance of certain lands to the

German members of the Methodist Episcopal Church of Lansing, &c., recommend the passage of the same, and ask to be discharged.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. Williams, from the select committee on Village Charters, to whom was referred the following bills, to-wit:

A bill to incorporate the village of Dexter;

A bill to incorporate the village of Jonesville;

A bill to incorporate the village of Lexington;

A bill to incorporate the village of Dundee;

A bill to incorporate the city of Flint;

Have had the same under consideration, and have instructed me as their chairman to report the same back to the House, and recommend a concurrence in the amendments proposed by the Senate; all of which is respectfully submitted, and your committee ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged.

The amendments made in the Senate to the bill to incorporate the village of Lexington, were adopted, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Cady,
Chamberlin,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
Eddy,
Edwards,
Enos,
Gregory,
Hall,
Hathaway,
Hixon,

Mr. Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Milk r,
Mills,
D. N. Montague,
Moorman,
Mussey,
Noble,
Parker,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Whitmore,
Willbur,
Williams,
Speaker, 60

NAYS.

Mr. Ewell,

The amendments made in the Senate to the bill to incorporate the village of Dundee, were concurred in, as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Hall, | Mr. Parsons, |
| Ashmun, | Hixon, | Pettit, |
| Barclay, | Hurd, | N. Power, |
| Beebe, | Ives, | P. Power, |
| Beecher, | King, | Ralph, |
| Brown, | Kirkland, | Ross, |
| Brownell, | Lapham, | Sanborn, |
| Cady, | Littlejohn, | Sherman, |
| Chamberlin, | Lomison, | Shier, |
| Chapel, | Lovell, | Strang, |
| Chatfield, | Luce, | Sutherland, |
| J. Divine, | McIntyre, | Tiffany, |
| R. K. Divine, | Middlesworth, | Tompkins, |
| Dunakin, | Miller, | Ward, |
| Duncan, | Mills, | Wells, |
| DuPuy, | D. N. Montague, | Wendell, |
| Eddy, | H. Montague, | White, |
| Edwards, | Moorman, | Whitmore, |
| Ewell, | Mussey, | Wilbur, |
| Fitch, | Noble, | Williams, |
| Gregory, | Parker, | Speaker, |

63

NAYS.

0

The amendments made by the Senate to the bill to incorporate the village of Jonesville, were concurred in, by the following vote:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. King, | Mr. Ross, |
| Ashmun, | Kirkland, | Sanborn, |
| Barclay, | Lapham, | St. Aubin, |
| Brownell, | Littlejohn, | Sherman, |
| Cady, | Lomison, | Shier, |
| Chatfield, | Luce, | Smith, |
| Chamberlin, | McIntyre, | Stout, |
| J. Divine, | Middlesworth, | Strang, |
| R. K. Divine, | Miller, | Sutherland, |
| Dunakin, | Mills, | Tiffany, |
| Duncan, | D. N. Montague, | Tompkins, |
| Eddy, | H. Montague, | Ward, |
| Edwards, | Mussey, | Wells, |
| Enos, | Noble, | Wendell, |
| Ewell, | Parker, | White, |
| Fitch, | Parsons, | Whitmore, |
| Gregory, | Pettit, | Wilbur, |
| Hall, | N. Power, | Williams, |

| | | | |
|-------|-----------|----------|----|
| Hurd, | P. Power, | Speaker, | |
| Ives, | Ralph, | | 59 |
| | NAYS. | | 0 |

The amendments made by the Senate to the bill to incorporate the village of Dexter, were concurred in, by the following vote:

YEAS.

| | | | |
|---------------|-----------------|---------------|----|
| Mr. Atwood, | Mr. Hurd, | Mr. N. Power, | |
| Ashman, | Ives, | P. Power, | |
| Barclay, | King, | Ralph, | |
| Beecher, | Lapham, | Ross, | |
| Brown, | Littlejohn, | Sanborn, | |
| Brownell, | Lomison, | St. Aubin, | |
| Cady, | Lovell, | Sherman, | |
| Chamberlin, | Luce, | Shier, | |
| Chatfield, | McIntyre, | Stout, | |
| Church, | Middlesworth, | Strang, | |
| J. Divine, | Miller, | Sutherland, | |
| R. K. Divine, | Mills, | Tiffany, | |
| Dunakin, | D. N. Montague, | Tompkins, | |
| Duncan, | H. Montague, | Ward, | |
| Eddy, | Moorman, | Wells, | |
| Edwards, | Mussey, | White, | |
| Ewell, | Noble, | Whitmire, | |
| Fitch, | Parker, | Williams, | |
| Gregory, | Parsons, | Speaker, | 59 |
| Hixon, | Pettit, | | 0 |

NAYS.

The several bills were then ordered to be enrolled.

A bill to incorporate the village of Flint,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|--------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Parsons, |
| Barclay, | Hixon, | Pettit, |
| Beecher, | Hurd, | N. Power, |
| Brown, | Ives, | P. Power, |
| Brownell, | Judd, | Ralph, |
| Cady, | King, | Reynolds, |
| Chapel, | Kirkland, | Ross, |
| Chatfield, | Lapham, | Sanborn, |
| Church, | Littlejohn, | Shier, |
| J. Divine, | Lomison, | Smith, |
| R. K. Divine, | Lovell, | Stout, |
| Dunakin, | Luce, | Strang, |
| Duncan, | McIntyre, | Sutherland, |
| Eddy, | Miller, | Tiffany, |

| | | | |
|----------|-----------------|-----------|----|
| Edwards, | D. N. Montague, | Tompkins, | |
| • Ewell, | H. Montague, | Wells, | |
| Fitch, | Moorman, | Wendell, | |
| Gilman, | Mussey, | Whitmore, | |
| Gregory, | Noble, | Williams, | |
| Hall, | Parker,* | Speaker, | 50 |

NAYS.

0

By Mr. Williams: the select committee to whom was referred,

A bill to incorporate the village of East Saginaw,

Have had the same under consideration, and have instructed me, their chairman, to report the same back to the House, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Church, it was

Resolved, That the committee on Engrossment and Enrollment be instructed to inquire of the like committee on the part of the Senate, what progress has been made in the enrollment of the bill to provide for the incorporation of Railroad Companies, and why the same has not been presented to the Governor for his approval, and that said committee report to this House the result of their inquiries.

Mr. Gregory moved to take from the table,

A bill to detach a portion of the township of Caledonia, in Shiawassee county, and attach the same to the township of Owosso, in the same county.

Lost.

On motion of Mr. J. Divine,

House bill No. 81 was taken from the committee of the Whole.

Mr. J. Divine moved to amend section 1 by inserting after the word "fifteen," in the second line, the words, "and the north half of township ten north, of range twelve."

Mr. White moved to indefinitely postpone the amendment and bill.

Lost.

The motion to amend prevailed.

Mr. White moved to lay the whole matter on the table.

Lost.

The bill was then ordered engrossed for a third reading.

On motion of Mr. Strang,

House bill No. 51 was taken from the committee of the Whole.

Mr. Strang moved to fill the blank in section 2, with "Thunder Bay."
Carried.

The bill was then ordered engrossed for a third reading.

With the unanimous consent of the House, the Speaker announced the following:

COMMUNICATIONS FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Lansing, February 8, 1855. }

To the Speaker of the House of Representatives:

I have this day approved and filed in the office of the Secretary of State,

An act to annex certain portions of the township of Grass Lake, county of Jackson, to the township of Napoleon; also,

An act to authorize mining companies to subscribe and take stock in plank roads, or railroads, and to regulate taxation thereon; also,

An act to extend certain rights and privileges to persons who are tax payers, but not qualified voters in school districts; also,

An act to provide for the collection and return of taxes in townships nine and ten north, range four west, in the county of Gratiot, for the year 1854, and to extend the time thereof; also,

An act to provide for reporting cases determined by the Supreme Court; also,

An act to extend the time for the collection of certain taxes for the year 1854, in the city of Detroit; also,

An act to amend an act entitled an act to organize the county of Midland, approved March 29, 1850.

KINSLEY S. BINGHAM.

EXECUTIVE OFFICE,
Lansing, February 7, 1855. }

To the Speaker of the House of Representatives:

I have this day approved and filed in the office of the Secretary of State,

An act to amend sections 7, 8 and 13, of chapter 148 of the revised statutes, relative to jails; also,

An act to provide for the collection of taxes in the township of Thornapple, in the county of Barry, for the year 1854, and to extend the time for the collection thereof; also,

An act to amend section 58 of an act entitled "an act to incorporate the city of Grand Rapids," approved April 2, 1850.

KINSLEY S. BINGHAM.

EXECUTIVE OFFICE,
Lansing, February 6, 1855. }

To the Speaker of the House of Representatives:

SIR—I have this day approved and filed in the office of the Secretary of State,

An act supplementary to an act entitled an act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes, approved February 5, 1853; also,

An act to amend an act entitled "an act for the encouragement of agriculture, manufactures and the mechanic arts," approved March 16, 1849; also,

An act to organize the township of Forrester, in the county of Sanilac; also,

An act for the incorporation of charitable societies.

K. S. BINGHAM.

Also, the following:

MESSAGES FROM THE OTHER HOUSE.

SENATE CHAMBER,
Lansing, February 8, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House the accompanying resolution, this day adopted by the Senate, and respectfully ask the action of the House thereon.

Very respectfully, &c.,

I. W. WILDER,

Secretary of the Senate.

Resolved, That the House be requested to return to the Secretary of the Senate, the bill to repeal the act to organize the county of Emmet.

Mr. Stout moved that the House concur.

Carried.

Mr. Church moved to take from the table a motion to reconsider the vote by which Senate bill relative to the duties of the Superintendent of Public Instruction was lost, yesterday.

Carried.

The question being on laying on the table, the same was lost.

On motion of Mr. McIntyre,

The bill was recommitted to the committee on Education.

Mr. Wells moved that a select committee of nine be appointed by the Chair, to whom be referred House bill No. 59, a bill to provide for the reclaiming the swamp lands, with instructions to report the same back with or without amendment, or by substitute, for the action of this House.

Which motion prevailed.

The Speaker appointed Messrs. Mussey, Beebe, Beecher, Enos, White, Wells, H. Montague, Stout and Parsons, said committee.

Mr. Sherman moved to reconsider the vote by which House bill No. 59 was referred to a special committee of nine.

Lost.

Mr. Sherman moved that House bill No. 57 be referred to the *very special* committee to which House bill No. 59 was referred.

Carried.

On motion of Mr. Church,

House bill No. 96 was taken from the committee of the Whole.

Mr. Church moved the following amendments, which were severally adopted:

Strike out section 1, and insert the following in lieu thereof:

"Sec. 1. *The People of the State of Michigan enact*, That Timothy E. Wetmore, of the county of Kent, Rufus R. Cook, of the county of Ionia, and Stephew Rossman, of the county of Montcalm, be appointed Commissioners to superintend and control the improvement of the navigation of Grand River, at Grand Rapids. Said Commissioners before entering upon the duties of the office, shall execute a bond, with sufficient sureties, to be approved by the Board of Supervisors of the county of Kent, in the penal sum of six thousand dollars, conditioned for the faithful discharge of their duty as such Commissioners."

Amend section 2 by striking out "is," in first line, and the necessary clerical corrections to preserve the plural number.

Amend section 3 in 4th line, by striking out the word "him," and inserting "them."

Amend section 4, by the necessary clerical changes to preserve the plural number.

Amend section 5, by similar clerical changes, and the " proviso" commencing in 9th line, and ending with the word act," in the 11th line.

Amend section 6, by such clerical changes as will preserve the plural number.

Amend section 7 in like manner.

Amend section 9 in like manner.

Amend section 10 in like manner, and by filling the blank in line 2, with the word "three."

Strike out section 11 and insert the following:

"Sec. 12. The said Commissioners are hereby authorized to revoke any appointment they may make under this act, and to fill any vacancy that may occur therein."

Amend section ten by striking out the words "by the Governor."

Add a new section to stand as section 10:

"Sec. 10. The Commissioner of the State Land Office is hereby authorized and directed to allow William Hunter, Christopher Koffman, Henry Gilmore, George Bush, James Hughes and Benjamin Powers, to purchase the following described parcels of the aforesaid lands, to-wit: the north-west quarter of the south-west quarter of section eleven, the west half of the north-west quarter of section ten, the west half of the south-west quarter of section three, the east half of the south-west quarter of section three, the east half of the south-east quarter of section three, the west half of the south-east quarter of section three, and of the north-east quarter of the north-west quarter of section eleven, in town twelve north, of range eleven west, at the rate of one dollar and twenty-five cents for each acre thereof, upon evidence by each of said persons of such settlement on, and improvement of the parcel of said lands claimed by him separately, as would sustain a pre-emption claim under the laws of the United States."

Amend the numbering of the next sections.

The bill as amended, was then ordered to a third reading.

On several motions, the following bills and resolutions were taken from the committee of the Whole, and ordered to a third reading:

Senate bill No. 25, and House bill No. 53, 60, 68, 82 and 90: also House resolutions No. 9, 10, 11 and 13;

Also, a bill to amend section 30 of act No. 156, of Session Laws of 1851, and section 36 of act No. 86, of session of 1853, regulating the compensation of Supervisors in certain cases;

Also, a bill to amend sections 19 and 22 of chapter 172 of the revised statutes of 1846;

Also, a bill to change the name of the township of Newaygo.

On motion of Mr. N. Power.

House bill No. 40, was taken from committee of the Whole, and ordered to a third reading.

On motion of Mr. R. K. Divine,

House bill No. 42, was taken from committee of the Whole, amended, ordered engrossed, and to be read a third time.

House bill No. 102, was taken from committee of the Whole and referred to the committee on Education.

A bill to organize the town of Allison, in Lapeer County, was taken from the committee of the Whole, and laid on the table.

On motion of Mr. Church,

House bill No. 91, was taken from committee of the Whole, a substitute offered, adopted, and ordered to a third reading.

On several motions, the following bills were severally taken from the table, and ordered to a third reading:

House bill No. 104;

A bill to incorporate the village of Sturgis;

A bill to incorporate the village of Three Rivers;

A bill to assess certain taxes for the benefit of a State road from Ohio, north, to the north line of the village of Hudson;

A bill to annex certain territory to the town of Essex, in Clinton county.

Mr. Wendell moved that all House bills and the Senate bill for the construction of a road from Lansing to the Straits of Mackinac, and likewise from Grand Rapids to Grand Traverse, be all referred to a select committee of three.

Carried.

The Speaker appointed Messrs. Pettit, R. K. Divine and Wendell said committee.

Mr. Littlejohn obtained leave to introduce,

A bill to amend an act entitled an act to provide for the incorporation of Railroad Companies,

As a substitute; which substitute was adopted, and ordered to a third reading.

On motion of Mr. Ashmun,

Resolved, That a special committee be appointed to consider and report to the House, as soon as possible, by bill or otherwise, the expediency of granting to Sam'l Whitney, John Boosha, Joseph Jibway, Cabus Caribou, John Batiste Le Ponce, Joseph Piquette, and their associates, of Sault Ste Marie, the use of the Upper Lock of the St. Mary's Falls Ship Canal, for dry-dock purposes. Also, the expediency of granting to them a strip of land, sixteen feet in width, on the tow-path, along the south side of the Canal, from the lower end of the upper lock, to the end of the upper pier, for the purpose of constructing a railroad thereon, and the propriety of advancing them, from the State Treasury, to build said road, the sum of twenty-five thousand dollars, to be repaid in twenty-five annual instalments, with interest thereon, at the rate of one per cent. per annum; as also, the exclusive use of the upper pier of said Canal, for wharf purposes, and the further use of the tow-path, along the entire line of said Canal, for the purpose of discharging goods thereon, and loading goods therefrom, as well as any other privileges that said committee may deem said parties entitled to, either along said Canal or the lands adjacent thereto: *Provided however*, That said parties above named, shall, in addition to the sums hereinbefore specified, pay annually to the Superintendent of said Canal, for the use of the State, five per cent. on the profits actually derived, or which should have been derived by said parties, from the enjoyment of the privileges, hereby proposed to be conferred: *And provided further*, That whenever said lock shall be occupied for dry-dock purposes, as aforesaid, the said parties shall be required to transport on their said railroad, all freight that may otherwise have passed through the Canal, and they shall not exceed in their charges for such transportation those

charged last year by the Chippewa Portage Company, being twenty-five cents for every barrel bulk.

On motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

On motion of Mr. McIntyre,

House bill No. 75 was taken from the table.

The question being upon the amendment to the substitute of Mr. McIntyre, it was lost, by yeas and nays, as follows:

YEAS.

Mr. Beebe,
Chatfield,
Duncan,
Edwards,
Fitch,
Hall,
Hixon,
Littlejohn,

Mr. Lomison,
McIntyre,
Mills,
D. N. Montague,
Moorman,
N. Power,
P. Power,
Shier,

Mr. Sutherland,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

23

NAYS.

Mr. Atwood,
Aahmann,
Barclay,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chapel,
J. Divine,
R. K. Divine,
Dunakin,
DuPuy,
Eddy,
- Enos,

Mr. Ewell,
Gregory,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Lovell,
Luce,
Middlesworth,
H. Montague,
Munsey,
Noble,
Parker,

Mr. Parsons,
Pettit,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Sherman
Smith,
Stout,
Strang,
Tompkins,
Wendell,
Wilbur,

44

The question recurring upon the substitute, it was lost, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|---------------|
| Mr. Atwood, | Mr. Judd, | Mr. P. Power, |
| Barclay, | Littlejohn, | Sanborn, |
| Beebe, | Lovell, | Sherman, |
| Beecher, | Luce, | Strang, |
| Brownell, | McIntyre, | Ward, |
| Church, | D. N. Montague, | Wendell, |
| Duncan, | Moorman, | White, |
| DuPuy, | Parker, | Whitmore, |
| Hixon, | Parsons, | Williams, |

27

NAYS.

| | | |
|---------------|---------------|-------------|
| Mr. Ashmun, | Mr. Gregory, | Mr. Pettit, |
| Brown, | Hall, | N. Power, |
| Cady, | Hurd, | Ralph, |
| Chamberlin, | Ives, | Reynolds, |
| Chapel, | King, | Ross, |
| Chatfield, | Kirkland, | St. Aubin, |
| J. Divine, | Lapham, | Shier, |
| R. K. Divine, | Lomison, | Smith, |
| Dunakin, | Middlesworth, | Stout, |
| Eddy, | Miller, | Sutherland, |
| Edwards, | Mills, | Tompkins, |
| Enos, | H. Montague, | Wells, |
| Ewell, | Musey, | Speaker, |
| Fitch, | Noble, | |

41

Mr. Stout moved to strike out section 17, and insert in lieu thereof the following:

"Sec. 17. For the purpose of erecting suitable buildings for such college, and for the purchase of a library and apparatus, there shall be assessed upon the taxable property of this State the sum of ten thousand dollars each year for three years, and there is hereby appropriated from the swamp land fund the sum of one hundred thousand dollars, which shall be and remain a permanent endowment fund of said college, the interest of which shall accrue from year to year to the support of the institution."

Pending which,

Mr. Ralph moved to lay the whole subject on the table.

Which motion was lost, by the following vote:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Brown, | Mr. King, | Mr. Reynolds, |
| Chamberlin, | Lapham, | Ross, |
| Chapel, | Luce, | Sanborn, |
| R. K. Divine, | Middlesworth, | St. Aubin, |

Duncan,
Enos,
Ewell,
Fitch,
Gregory,
Judd,

Miller,
D. N. Montague,
Noble,
Parsons,
Ralph,

Sherman,
Smith,
Strang,
Tompkins,
Wendell,

28

NAYS.

Mr. Atwood,
Aashman
Barclay,
Beebe,
Beecher,
Brownell,
Cady,
Chatfield,
Church,
J. Divine,
Dunakin,
DuPuy,
Eddy,

Mr. Edwards,
Hall,
Hixon,
Hurd,
Ives,
Kirkland,
Littlejohn,
Lomison,
McIntyre,
Mills,
Moorman,
Parker,

Mr. Pettit,
N. Power,
P. Power,
Shier,
Stout,
Sutherland,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

37

Mr. Stout withdrew his motion, and moved the following as a substitute:

"Sec. 17. For the purpose of procuring a site, fencing and preparing the grounds, and for the erection of suitable buildings, and furnishing them, and for the purchase of a library, and a necessary apparatus, there shall be levied upon the taxable property of this State, the sum of ten thousand dollars each year, for the years 1856, '57 and '58: *Provided*, That this amount shall be reimbursed to the State from the swamp land fund, as soon as sufficient shall accumulate in the Treasury to be applied to the liquidation of the State debt; and there is hereby appropriated from the swamp land fund, the sum of one hundred thousand dollars, as a permanent endowment fund, the interest of which shall be applied to the support of such institution."

Lost.

Mr. Stout moved to amend by striking out "three," in line 2 of section 17, and inserting "two."

Lost.

Mr. Sherman moved to strike out section 17.

Withdrawn.

Mr. R. K. Divine moved to amend section 17 by inserting after the word "lands," in line 3, the words, "after the same shall have been drained."

Mr. H. Montague moved to indefinitely postpone the whole subject. ~~Withdrawn.~~

Mr. McIntyre moved as a substitute for the pending motion, to amend section 17 by inserting after the word "lands," in line 3, the words, "or so much of that sum as shall remain after fully complying with the conditions upon which said lands were granted to this State by the United States."

Mr. H. Montague moved to indefinitely postpone the whole subject, and upon that motion moved the previous question.

The question being, "Shall the main question be now put?" it was sustained, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Brown,
Brownell,
Chamberlin,
Chapel,
R. K. Divine,
Dunakin,
Duncan,
Eddy,
Enos,
Ewell,
Judd,
Lapham,

Mr. Lomison,
Lovell,
Luca,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Noble,
Parker,
Parsons,
Pettit,

Mr. Ralph,
Reynolds,
Ross,
St. Aubin,
Sherman,
Smith,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wendell,
Speaker,

37

NAYS.

Mr. Barclay,
Beebe,
Cady,
Church,
J. Divine,
DuPuy,
Edwards,
Fitch,
Gregory,
Hall,

Mr. Hixon,
Hurd,
Ives,
King,
Kirkland,
Littlejohn,
McIntyre,
Moorman,
N. Power,
P. Power,

Mr. Sanborn,
Shier,
Stout,
Ward,
Wells,
White,
Whitmore,
Wilbur,
Williams,

32

The question being on the motion to indefinitely postpone the whole subject, the motion was sustained, by yeas and nays, as follows:

YEAS.

Mr. Barclay,
Brown,
Brownell,
Chamberlin,
Chapel,
J. Divine,
R. K. Divine
Donakin,
Duncan,
Eddy,
Enos,
Ewell,
Fitch,

Mr. Gregory,
Judd,
King,
Lapham,
Lomison,
Lovell,
Luce,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Noble,
Parsons,

Mr. Pettit,
Ralph,
Reynolds,
Ross,
St. Aubin,
Sherman,
Smith,
Strang,
Sutherland,
Tompkins,
Wendell,
Speaker,

38

NAYS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Cady,
Chatfield,
Church,
DuPuy,
Edwards,
Hall,
Hixon,

Mr. Hurd,
Ives,
Kirkland,
Littlejohn,
McIntyre,
Mills,
Moorman,
Munsey,
Parker,
N. Power,
P. Power,

Mr. Sanborn,
Shier,
Stout,
Tiffany,
Ward,
Wells,
White,
Whitzmore,
Wilbur,
Williams,

32

With the unanimous consent of the House, Mr. Mills made the following report:

The committee on the State Prison, to whom was referred,

A bill to provide for repairing and finishing the State Prison, and for the construction of cells therein,

Report that they have had the same under consideration, and instructed me, as their chairman, to report the same back to the House with amendments thereto, recommending that it do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, amendments concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Littlejohn submitted the following, (consent having been given):

The committee on State Affairs, to whom was referred the Senate bill to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls Ship Canal, have had the same under consideration, and have instructed their chairman to report the same

back, with sundry amendments, asking the concurrence of the House in said amendments, recommending the passage of the bill thus amended, and asking to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the amendments made by the committee concurred in, in gross.

Mr. McIntyre moved to amend by inserting the following to stand as section 7:

"Sec. 7. Nothing in this act contained shall be taken or construed to be an acceptance, by the State, of the work, or an acknowledgment or admission that the said canal has been completed, or that the work done has been done in accordance with the terms of the contract for the construction of said canal.

Carried.

Mr. Edwards moved to strike out the word "four," in section 3, and insert "two."

Lost.

Mr. Ralph moved to amend line 6th, in section 2, by striking out all after the word "same," in said section, to the word "useful," in 8th line.

Withdrawn.

Mr. Chapel moved to amend section 2, line 6, by adding after "water," "or right of way."

Lost.

Mr. Beebe moved to strike out in section 6, line 8, all after the words "the same," to and including the word "writing."

Carried.

Mr. McIntyre moved to amend section 2 by adding to the end thereof the following:

"*Provided*, That no sale or lease of the surplus water of said Canal, or of any part thereof, shall be made for any longer time than during the pleasure of the State."

Withdrawn.

The rules were suspended, and the bill was read a third time and passed, as follows:

YEAS.

Mr. Ashmun,
Barclay,
Beebe.

Mr. Judd,
King,
Kirkland,

Mr. P. Power,
Ralph,
Roes,

Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Fitch,
Gregory,
Hall,
Hixon,
Hurd,
Ives,

Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,

Sanborn,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

61

NAYS.

Mr. Ewell,

1

On motion of Mr. Littlejohn,

The bill was then ordered to take immediate effect.

On motion of Mr. Strang,

A bill to attach the county of Mecosta to the county of Newaygo,
Was taken from the committee of the Whole.

On motion of Mr. Divine,

The bill was laid on the table.

With consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 8, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives, House bill No. 18, being a bill relative to indictments, which the Senate have concurred in, by a vote of a majority of all the Senators elect.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Message laid on the table, and the bill ordered enrolled.

THIRD READING OF BILLS.

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853,

Was read a third time and recommitted to the committee on Ways and Means.

A bill relative to the disposition of the surplus funds in the State Treasury,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Edwards, | Mr. Noble, |
| Barclay, | Enos, | Parker, |
| Beebe, | Ewell, | Parsons, |
| Beecher, | Fitch, | Pettit, |
| Brownell, | Gregory, | N. Power, |
| Cady, | Hurd, | Ralph, |
| Chamberlin, | Ives, | Ross, |
| Chapel, | Judd, | Sherman, |
| Chatfield, | Lapham, | Shier, |
| Church, | Lomison, | Stout, |
| J. Divine, | Luce, | Sutherland, |
| R. K. Divine, | McIntyre, | Tiffany, |
| Dunakin, | Miller, | Tompkins, |
| Duncan, | Mills, | Ward, |
| DuPuy, | D. N. Montague, | Wells, |
| Eddy, | Mussey, | Speaker, |

48

NAYS.

| | | |
|-------------|--------------|------------|
| Mr. Ashmun, | Mr. Moorman, | Mr. White, |
| Hixon, | P. Power, | Whitmore, |
| King, | Sanborn, | Wilbur, |
| Kirkland, | St. Aubin, | William s. |
| Littlejohn, | Wendell, | |

14

A bill to establish Teacher's Institutes,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|-------------|
| Mr. Atwood, | Mr. Judd, | Mr. Pettit, |
| Barclay, | Littlejohn, | N. Power, |
| Beecher, | Lomison, | P. Power, |
| Chapel, | Lovell, | Ross, |
| Church, | McIntyre, | St. Aubin, |
| Dunakin, | Miller, | Stout, |
| DuPuy, | Mills, | Sutherland, |
| Enos, | D. N. Montague, | Wendell, |

Fitch,
Gregory,
Hall,
Hurd,
Ives,

H. Montague,
Moorman,
Mussey,
Parsona,

White,
Whitmore,
Williams,
Speaker,

37

NAYS.

Mr. Ashmun,
Beebe,
Brownell
Cady,
Chamberlin,
Chatfield,
J. Divine,
R. K. Divine,
Duncan,

Mr. Eddy,
Edwards,
Ewell,
Hixon,
King,
Kirkland,
Lapham,
Noble,
Parker,

Mr. Sanborn,
Sherman,
Shier,
Smith,
Strang,
Tiffany,
Tompkins,
Ward,
Wells,

27

The bill was ordered to take immediate effect.

A bill to provide for the laying out of a State road from Grand Rapids to Grand Traverse,

Was read a third time, and,

On motion of Mr. Littlejohn,

Was laid on the table.

On motion,

The House adjourned.

EVENING SESSION.

The House met at 7 o'clock.

Roll called; a quorum present.

A bill to provide for the issuing of a certain patent to John Blaka of Berrien county,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chapel,

Mr. Gregory,
Hall,
Hixon,
Hurd,
Ives,
Judd,
Kirkland,
Lapham,
Lovell,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Smith,

| | | |
|---------------|-----------------|-------------|
| Chatfield, | Luce, | Strang, |
| Church, | McIntyre, | Sutherland, |
| J. Divine, | Miller, | Tiffany, |
| R. K. Divine, | Mills, | Tompkins, |
| Dunakin, | D. N. Montague, | Ward, |
| Duncan, | H. Montague, | Wells, |
| DuPuy, | Moorman, | Wendell, |
| Eddy, | Mussey, | White, |
| Edwards, | Parker, | Williams, |
| Enos, | Parsons, | Speaker, |
| Ewell, | | |

58

NAYS.

Mr. Lomison,

Mr. Whitmore,

2

A bill to confer certain powers upon Mining Companies,

Was read a third time and passed, by yeas and nays, as follows:

YEAS

| | | |
|---------------|---------------|---------------|
| Mr. Atwood, | Mr. Kirkland, | Mr. Reynolds, |
| Beebe, | Littlejohn, | Ross, |
| Brown, | Lomison, | Sanborn, |
| Brownell, | Lovell, | St. Aubin, |
| Cady, | Luce, | Sherman, |
| Chamberlin, | McIntyre, | Shier, |
| Chatfield, | Mills, | Strang, |
| Church, | H. Montague, | Sutherland, |
| R. K. Divine, | Moorman, | Tiffany, |
| Dunakin, | Mussey, | Tompkins, |
| Duncan, | Noble, | Ward, |
| DuPuy, | Parker, | Wells, |
| Eddy, | Parsons, | Wendell, |
| Enos, | Pettit, | White, |
| Ewell, | N. Power, | Whitmore, |
| Hall, | P. Power, | Williams, |
| Hixon, | Ralph, | Speaker, |
| Judd, | | |

52

NAYS.

Mr. Barclay,
J. Divine,Mr. Gregory,
D. N. Montague,

Mr. Smith,

5

A bill appropriating certain highway taxes for the improvement of
a road in the counties of Saginaw, Tuscola, Genesee and Lapeer,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|------------|-------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Pettit, |
| Ashmun, | Hurd, | N. Power, |
| Beebe, | Ives, | P. Power, |
| Beecher, | Judd, | Ralph, |

| | | |
|---------------|-----------------|-------------|
| Brown, | King, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Littlejohn, | Sherman, |
| Chatfield, | Lomison, | Smith, |
| Church, | Lovell, | Strang, |
| R. K. Divine, | Luce, | Sutherland, |
| Dunakin, | McIntyre, | Tiffany, |
| Duncan, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Ward, |
| Eddy, | H. Montague, | Wells, |
| Edwards, | Moorman, | Wendell, |
| Enos, | Mussey, | White, |
| Ewell, | Noble, | Whitmore, |
| Gregory, | Parker, | Williams, |
| Hall, | Parsons, | Speaker, |

60

NAYS.

Mr. Shier, Mr. Stout, 2

The bill was ordered to take immediate effect.

A bill to amend an act entitled an act for the relief of James Watters, approved February 5, 1853,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hurd, | Mr. N. Power, |
| Ashmun, | Ives, | P. Power, |
| Beebe, | Judd, | Ralph |
| Beecher, | King, | Reynolds, |
| Brown, | Kirkland, | Ross, |
| Brownell, | Lapham, | Sanborn, |
| Chamberlin, | Littlejohn, | St. Aubin, |
| Chapel, | Lomison, | Sherman, |
| Chatfield, | Lovell, | Shier, |
| Church, | Luce, | Smith, |
| J. Divine, | McIntyre, | Strang, |
| R. K. Divine, | Middlesworth, | Tiffany, |
| Dunakin, | Mills, | Tompkins, |
| Duncan, | D. N. Montague, | Ward, |
| DuPuy, | H. Montague, | Wells, |
| Eddy, | Moorman, | Wendell, |
| Edwards, | Mussey, | White, |
| Enos, | Noble, | Whitmore, |
| Ewell, | Parker, | Wilbur, |
| Gregory, | Parsons, | Williams, |
| Hall, | Pettit, | Speaker, |
| Hixon, | | |

64

NAYS.

0

The bill was ordered to take immediate effect.

A bill to change the name of the First Presbyterian Society in the township of Grass Lake, county of Jackson,

Was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hixon, | Mr. N. Power, |
| Ashmun, | Hurd, | P. Power, |
| Beebe, | Ives, | Ralph, |
| Beecher, | Judd, | Reynolds, |
| Brown, | King, | Ross, |
| Brownell, | Kirkland, | Sanborn, |
| Cady, | Lapham, | St. Aubin, |
| Chamberlain, | Littlejohn, | Sherman, |
| Chapel, | Lomison, | Shier, |
| Chatfield, | Lovell, | Smith, |
| Church, | McIntyre, | Stout, |
| J. Divine, | Middleworth, | Strang, |
| R. K. Divine, | Mills, | Sutherland, |
| Dunakin, | D. N. Montague, | Ward, |
| Duncan, | H. Montague, | Wells, |
| Eddy, | Moorman, | Wendell, |
| Edwards, | Mussey, | White, |
| Enos, | Noble, | Whitmore, |
| Ewell, | Parker, | Williams, |
| Gregory, | Parsona, | Speaker, |
| Hall, | Pettit, | |

62

NAYS.

| | | |
|-----------|---------------|---|
| Mr. Luce, | Mr. Tompkins, | 2 |
|-----------|---------------|---|

The bill was ordered to take immediate effect.

A bill to organize the township of Goodland, in the county of La-peer,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-------------|-------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Pettit, |
| Ashman, | Hurd, | N. Power, |
| Beebe, | Ives, | P. Power, |
| Beecher, | Judd, | Ralph, |
| Brown, | King, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Littlejohn, | St. Aubin, |
| Chapel, | Lomison, | Sherman, |
| Chatfield, | Lovell, | Shier, |
| Church, | Luce, | Stout, |

| | | |
|---------------|-----------------|-------------|
| J. Divine, | McIntyre, | Strang, |
| R. K. Divine, | Middlesworth, | Sutherland, |
| Dunakin, | Mills, | Tompkins, |
| Duncan, | D. N. Montague, | Ward, |
| DuPuy, | H. Montague, | Wells, |
| Eddy, | Moorman, | Wendell, |
| Edwards, | Mussey, | White, |
| Enos, | Noble, | Whitmore, |
| Ewell, | Parker, | Williams, |
| Gregory, | Parsons, | Speaker, |
| Hall, | | |

64

0

NAYS.

The bill was ordered to take immediate effect.

A bill to authorize the common council of the city of Detroit to refund certain taxes,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|-------------|
| Mr. Atwood, | Mr. Hall, | Mr. Pettit, |
| Ashman, | Hixon, | N. Power, |
| Beebe, | Hurd, | P. Power, |
| Beecher, | Ives, | Ralph, |
| Brown, | Judd, | Reynolds, |
| Brownell, | King, | Sanborn, |
| Cady, | Kirkland, | St. Aubin, |
| Chamberlin, | Lapham, | Shier, |
| Chapel, | Littlejohn, | Smith, |
| Chatfield, | Lomison, | Stout, |
| Church, | Lovell, | Strang, |
| J. Divine, | Luce, | Sutherland, |
| R. K. Divine, | McIntyre, | Tiffany, |
| Dunakin, | Middlesworth, | Tompkins, |
| Duncan, | Mills, | Ward, |
| DuPuy, | H. Montague, | Wells, |
| Eddy, | Moorman, | Wendell, |
| Edwards, | Mussey, | White, |
| Enos, | Noble, | Whitmore, |
| Ewell, | Parker, | Williams, |
| Gregory, | Parsons, | Speaker, |

63

NAYS.

Mr. Sherman,

1

The bill was ordered to take immediate effect.

A bill to repeal section 39 of chapter 16 of the revised statutes of 1846, and to substitute a new section therefor, to stand as section 39 of said chapter,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hall, | Mr. Pettit, |
| Beebe, | Hurd, | N. Power, |
| Beecher, | Ives, | P. Power, |
| Brown, | Judd, | Ralph, |
| Brownell, | King, | Reynolds, |
| Cady, | Kirkland, | Sanborn, |
| Chamberlin, | Lapham, | St. Aubin, |
| Chapel, | Littlejohn, | Shier, |
| Chatfield, | Lomison, | Smith, |
| Church, | Lovell, | Strang, |
| J. Divine, | Luce, | Sutherland, |
| R. K. Divine, | McIntyre, | Tiffany, |
| Dunakin, | Middlesworth, | Tompkins, |
| Duncan, | Mills, | Ward, |
| DuPuy, | D. N. Montague, | Wells, |
| Eddy, | H. Montague, | Wendell, |
| Edwards, | Moorman, | White, |
| Enos, | Mussey, | Whitmore, |
| Ewell, | Noble, | Williams, |
| Gregory, | Parker, | Speaker, |

60

NAYS.

Mr. Ashmun,

1

The bill was ordered to take immediate effect.

A bill to amend an act entitled an act to incorporate the city of Adrian, approved January 31st, 1853, and an act entitled an act to amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31, 1853, approved February 10, 1853,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|-------------|
| Mr. Atwood, | Mr. Hall, | Mr. Pettit, |
| Ashmun, | Hurd, | N. Power, |
| Beebe, | Ives, | P. Power, |
| Beecher, | Judd, | Ralph, |
| Brown, | King, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Littlejohn, | St. Aubin, |
| Chapel, | Lomison, | Shier, |
| Chatfield, | Lovell, | Stout, |
| Church, | Luce, | Sutherland, |
| J. Divine, | McIntyre, | Tiffany, |
| R. K. Divine, | Middlesworth, | Tompkins, |
| Dunakin, | Miller, | Ward, |

Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Gregory,

Mills,
D. N. Montague,
Moorman,
Mussey,
Parker,
Parsons,

Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

61

NAYS.

Mr. Hathaway,

Mr. Smith,

Mr. Strang,

3

The bill was ordered to take immediate effect.

A bill to repeal act No. 81 of the session laws of 1853,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Rosa,
Ewell,
Gregory,
Hall,
Hixon,
Hurd,

Mr. Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luca,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,
N. Power,
P. Power,

Mr. Ralph,
Reynolds,
Rosa,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

63

NAYS.

0

The bill was ordered to take immediate effect.

Joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,

Mr. Hixon,
Hurd,
Ives,
Judd,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,

| | | |
|---------------|-----------------|-------------|
| Brown, | King, | Ross, |
| Brownell, | Kirkland, | Sanborn, |
| Oady, | Lapham, | St. Aubin, |
| Chamberlin, | Littlejohn, | Shier, |
| Chapel, | Lomison, | Smith, |
| Chatfield, | Lovell, | Stout, |
| Church, | Luce, | Strang, |
| J. Divine, | McIntyre, | Sutherland, |
| R. K. Divine, | Middlesworth, | Tiffany, |
| Dunakin, | Mills, | Tompkins, |
| Duncan, | D. N. Montague, | Ward, |
| DuPuy, | H. Montague, | Wells, |
| Eddy, | Moorman, | Wendell, |
| Edwards, | Mussey, | White, |
| Enos, | Noble, | Whitmore, |
| Ewell, | Parker, | Williams, |
| Gregory, | Parsons, | Speaker, |
| Hall, | Pettit, | |

64

NAYS.

0

The joint resolution was ordered to take immediate effect.

Joint resolution relative to an exchange of lots with the First Baptist Church and Society of Lansing,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Ives, | Mr. N. Power, |
| Ashmun, | Judd, | P. Power, |
| Beebe, | King, | Ralph, |
| Oady, | Kirkland, | Reynolds, |
| Chamberlin, | Lapham, | Ross, |
| Chapel, | Littlejohn, | Sanborn, |
| Chatfield, | Lomison, | St. Aubin, |
| Church, | Lovell, | Shier, |
| J. Divine, | Luce, | Stout, |
| R. K. Divine, | McIntyre, | Sutherland, |
| Dunakin, | Middlesworth, | Tiffany, |
| Duncan, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Ward, |
| Eddy, | H. Montague, | Wells, |
| Enos, | Moorman, | Wendell, |
| Gregory, | Mussey, | White, |
| Hall, | Noble, | Whitmore, |
| Hixon, | Parsons, | Williams, |
| Hurd, | Pettit, | Speaker, |

57

NAYS.

Mr. Ewell,

1

The joint resolution was ordered to take immediate effect.

A bill to amend an act entitled an act to incorporate the city of Detroit Gas Light Company,

Was read a third time and passed, by yeas and nays, as follows :

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Judd, | Mr. N. Power, |
| Beebe, | King, | P. Power, |
| Brown, | Kirkland, | Ralph, |
| Brownell, | Lapham, | Reynolds, |
| Cady, | Littlejohn, | Ross, |
| Chamberlin, | Lomison, | Sanborn, |
| Chapel, | Lovell, | St. Aubin, |
| Church, | Luce, | Shier, |
| J. Divine, | McIntyre, | Stout, |
| R. K. Divine, | Middlesworth, | Strang, |
| Dunakin, | Mills, | Sutherland, |
| Duncan, | D. N. Montague, | Tompkins, |
| DuPuy, | H. Montague, | Ward, |
| Eddy, | Moorman, | Wells, |
| Edwards, | Mussey, | Wendell, |
| Gregory, | Noble, | White, |
| Hall, | Parker, | Whitmore, |
| Hixon, | Parsons, | Williams, |
| Hurd, | Pettit, | Speaker, |
| Ives, | | |

61

NAYS.

| | | | |
|-----------|------------|------------|---|
| Mr. Enos, | Mr. Ewell, | Mr. Smith, | 3 |
|-----------|------------|------------|---|

The bill was ordered to take immediate effect.

Joint resolution relative to the extension and renewal of certain patents,

Was read a third time and passed, by yeas and nays, as follows :

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Parker, |
| Beebe, | Hall, | Parsons, |
| Brown, | Hurd, | N. Power, |
| Brownell, | Judd, | P. Power, |
| Cady, | King, | Ralph, |
| Chapel, | Kirkland, | Reynolds, |
| Church, | Lapham, | Ross, |
| J. Divine, | Lovell, | Sanborn, |
| R. K. Divine, | Luce, | Smith, |
| Dunakin, | McIntyre, | Strang, |
| Duncan, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Ward, |
| Eddy, | H. Montague, | Speaker, |
| Edwards, | Mussey, | |

41

NAYS.

| | | |
|-----------------|-------------------|-------------|
| Mr. Chamberlin, | Mr. Middlesworth. | Mr. Stout, |
| Chatfield. | Moorman, | Sutherland, |
| Ewell, | Noble, | Tiffany, |
| Hixon, | Pettit, | Wells, |
| Littlejohn, | Sherman, | White, |
| | | 15 |

A bill to amend an act entitled an act to amend an act entitled an act to incorporate the village of Coldwater, in the county of Branch approved February 29, 1837, approved March 19, 1845,

Was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Hurd, | Mr. N. Power, |
| Beebe, | Judd, | P. Power, |
| Beecher, | Kirkland, | Ralph, |
| Brown, | Lapham, | Ross, |
| Cady, | Littlejohn, | Sanborn, |
| Chamberlain, | Lomison, | St. Aubin, |
| Chapel, | Luce, | Shier, |
| Church, | McIntyre, | Sutherland, |
| J. Divine, | Middlesworth, | Tiffany, |
| R. K. Divine. | D. N. Montague, | Tompkins, |
| Dunakin, | H. Montague. | Ward, |
| Duncan, | Moorman, | Wells, |
| Eddy, | Mussey, | Wendell, |
| Edwards, | Noble, | White, |
| Enos, | Parker, | Williams, |
| Gregory, | Parsons, | Speaker, |
| Hall, | Pettit, | 51 |

NAYS.

| | | |
|-------------|------------|------------|
| Mr. Atwood, | Mr. Mills, | Mr. Stout; |
| DuPuy, | Reynolds, | Strang, |
| Ewell, | Smith, | Whitmore, |
| | | 6 |

The bill was ordered to take immediate effect.

A bill to organize the township of Mussey, in St. Clair county,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-------------|---------------|
| Mr. Atwood, | Mr. Hurd, | Mr. P. Power, |
| Ashmun, | Ives, | Ralph, |
| Beebe, | Judd, | Ross, |
| Beecher, | Kirkland, | Sanborn, |
| Brownell, | Lapham, | St. Aubin, |
| Cady, | Littlejohn, | Sherman, |
| Chapel, | Lomison, | Shier, |
| Chatfield, | Lovell, | Smith, |

Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Ence,
Ewell,
Gregory,
Hall,
Hixon,

Luce,
McIntyre,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Munsey,
Noble,
Parker,
Parsons,
N. Power,

Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

36

NAYS.

Mr. Middlesworth,

Mr. Pettit,

Mr. Reynolds,

3

The bill was ordered to take immediate effect.

Joint resolution relative to the claim of John Van Fossen against the State of Michigan,

Was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Cady,
Chamberlain,
Chapel,
Church,
R. K. Divine,
Duncan,
DuPuy,
Edwards,
Fitch,
Ives,

Mr. Kirkland,
Lomison,
Lovell,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
Moorman,
Munsey,
Parker,
Pettit,
N. Power,

Mr. P. Power,
Ross,
Sanborn,
St. Aubin,
Sherman,
Shier,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Speaker,

37

NAYS.

Mr. Beecher,
Brown,
Chatfield,
J. Divine,
Eddy,
Ence,
Ewell,
Gilman,
Gregory,
Hall,

Mr. Hixon,
Judd,
King,
Lapham,
Littlejohn,
Luce,
H. Montague,
Noble,
Parsons,

Mr. Ralph,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Williams,

38

The resolution was ordered to take immediate effect.

A bill to provide for the taxation of certain railroad companies,
Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Ives, | Mr. Reynolds, |
| Aahmun, | Kirkland, | Rosa, |
| Beebe, | Lapham, | Sanborn, |
| Cady, | Littlejohn, | St. Aubin, |
| Chamberlin, | Lornison, | Sherman, |
| Chapel, | Lovell, | Shier, |
| Chatfield, | McIntyre, | Smith, |
| Church, | Middleworth, | Strang, |
| J. Divine, | D. N. Montague, | Sutherland, |
| R. K. Divine, | H. Montague, | Tiffany, |
| Duncan, | Moorman, | Tompson, |
| Du Puy, | Murray, | Ward, |
| Edwards, | Noble, | Wells, |
| Enos, | Parsons, | Wendell, |
| Fitch, | Pettit, | White, |
| Gregory, | N. Power, | Wilbur, |
| Hall, | P. Power, | Speaker, |

51

NAYS.

| | | |
|--------------|------------|-------------|
| Mr. Beecher, | Mr. Hixon, | Mr. Parker, |
| Brown, | Judd, | Ralph, |
| Brownell, | King, | Stout, |
| Eddy, | Luce, | Whitmore, |
| Ewell, | Mills, | |

14

§ A bill to organize the county of Beaver Island, and certain townships therein,

Was announced for a third reading.

On motion of Mr. Strang,

The bill was recommitted to the committee on Towns and Counties, with instructions to make certain amendments, and report forthwith.

With the unanimous consent of the House,

Mr. White submitted the following report:

The committee on Towns and Counties, to whom was referred,

A bill to organize the county of Beaver Island, and certain townships therein,

With instructions to amend section 3, in the 2d line, by inserting after the word "north," the words, "and the south half of township 38 north," beg leave to report that your committee have had the same under consideration, and instructed me, as their chairman, to report the same back to the House, amended agreeably to instruction, and ask the

concurrence of the House therein, and that your committee be discharged.

Report accepted, committee discharged, amendment adopted, and the bill, as amended, read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hixon, | Mr. P. Power, |
| Aahmun, | Ives, | Ralph, |
| Beebe, | Judd, | Reynolds, |
| Brown, | King, | Ross, |
| Brownell, | Kirkland, | Sanborn, |
| Cady, | Lapham, | St. Aubin, |
| Chamberlain, | Littlejohn, | Sherman, |
| Chapel, | Lomison, | Shier, |
| Chatfield, | Lovell, | Smith, |
| Church, | Middleworth, | Stout, |
| J. Divine, | Mills, | Sutherland, |
| R. K. Divine, | D. N. Montague, | Tiffany, |
| Duncan, | H. Montague, | Tompkins, |
| DuPuy, | Moorman, | Ward, |
| Eddy, | Munsey, | Wells, |
| Edwards, | Noble, | Wendell, |
| Ewell, | Parker, | White, |
| Fitch, | Parsons, | Whitmore, |
| Gregory, | Pettit, | Williams, |
| Hall, | N. Power, | Speaker, |

60

NAYS.

Mr. Strang,

1

On motion of Mr. Strang,

The title was amended by striking out the word "Beaver Island," and inserting "Manitue."

The bill was then ordered to take immediate effect.

With the consent of the House,

Mr. Littlejohn submitted the following report:

The select committee of the House, to whom was referred House bill No. 27, Senate bill No. 40, and House bill No. 101, relative to amendments of the revised statutes in relation to highways, have had the same under consideration, and recommend the selection of House bill No. 101, to which they have made sundry amendments, in which the concurrence of the House is requested, and they recommend the passage of the bill thus amended, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and amendments concurred in, in gross.

House bill No. 101, being,

A bill to amend sections 8, 9, 10, 11 and 26, of the revised statutes, relative to highways,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Ives, | Mr. N. Power, |
| Beebe, | Judd, | P. Power, |
| Brown, | King, | Ralph, |
| Brownell, | Kirkland, | Reynolds, |
| Cady, | Lapham, | Ross, |
| Chapel, | Littlejohn, | Sanborn, |
| Chatfield, | Lomison, | St. Aubin, |
| Church, | Lovell, | Shier, |
| J. Divine, | Luce, | Smith, |
| R. K. Divine, | McIntyre, | Stout, |
| Duncan, | Middlesworth, | Strang, |
| DuPuy, | Mills, | Sutherland, |
| Eddy, | D. N. Montague, | Tompkins, |
| Edwards, | H. Montague, | Ward, |
| Enos, | Moorman, | Wells, |
| Ewell, | Mussey, | Wendell, |
| Fitch, | Noble, | White, |
| Gilman, | Parker, | Whitmore, |
| Gregory, | Parsons, | Wilbur, |
| Hall, | Pettit, | Speaker, |
| Hixon, | | |

61

NAYS.

Mr. Ashmun,

I

The bill was ordered to take immediate effect.

House bill No. 44, being,

A bill to fix the compensation of Judges of Probate for their services,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|------------|-------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Pettit, |
| Ashmun, | Ives, | N. Power, |
| Beebe, | Judd, | P. Power, |
| Beecher, | King, | Ralph, |
| Brown, | Kirkland, | Ross, |
| Brownell, | Lapham, | Shier, |
| Cady, | Lomison, | Stout, |

Church,
J. Divine,
R. K. Divine,
DuPuy,
Eddy,
Edwards,
Fitch,
Gregory,

Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
Moorman,
Noble,
Parsons,

Sutherland,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Speaker, 45

NAYS.

Mr. Chamberlin,
Chapel,
Chatfield,
Duncan,
Ewell,

Mr. Hall,
Littlejohn,
Lovell,
Mussey,
Parker,

Mr. St. Aubin,
Sherman,
Smith,
Strang,
Tompkins, 15

Mr. White moved an adjournment.

Lost.

Mr. White moved a call of the House.

Lost.

Mr. Church gave notice that on to-morrow he would ask leave to introduce,

A bill to repeal the Port Huron Railroad bill.

Decided out of order.

House bill No. 62, being,

A bill to amend an act entitled an act relative to plank roads, approved March 13, 1848, and an act amendatory thereto, approved February 9, 1853, and to add two new sections thereto,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Fitch,

Mr. Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Moorman,
Mussey,
Noble,
Parker,
Parsons,
Pettit,
N. Power,

Mr. Reynolds,
Ross,
Sanborn,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tompkins,
Ward,
Wells,
Wendell,
White,
Wilbur,

Gregory,
Hall,

P. Power,
Ralph,

Williams,
Speaker, 51

NAYS.

Mr. Brown,
Cady,
Enos,
Ewell,

Mr. King,
McIntyre,
Middlesworth,
Mills,

Mr. D. N. Montague,
H. Montague,
St. Aubin,
Whitmore, 12

The bill was ordered to take immediate effect.

A bill establishing the office of an assistant supervisor for the township of Eaton Rapids, in the county of Eaton, defining his duties and powers,

Was read a third time.

Mr. Whitmore moved the indefinite postponement of the bill.

Lost.

The question being taken on its passage, the same was lost, by yeas and nays, as follows, a majority of all the members elect not having voted for the bill:

YEAS

Mr. Atwood,
Beebe,
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,

Mr. DuPuy,
Eddy,
Edwards,
Fitch,
Hathaway,
Judd,
Kirkland,
Lapham,
Luce,
McIntyre,

Mr. Middlesworth,
Moorman,
Parker,
N. Power,
P. Power,
Ralph,
Sanborn,
Wells,
Williams,
Speaker, 30

NAYS.

Mr. Ashmun,
Brown,
Brownell,
Enos,
Ewell,
Gregory,
King,
Littlejohn,

Mr. Lomison,
Lovell,
D. N. Montague,
H. Montague,
Mussey,
Noble,
Pettit,
St. Aubin,

Mr. Shier,
Smith,
Strang,
Tompkins,
Ward,
Wendell,
Whitmore,
Wilbur, 24

House bill No. 42, being,

A bill to amend sections 14 and 15 of an act entitled an act to define the powers and duties of the Boards of Supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Ives, | Mr. Pettit, |
| Ashmun, | Judd, | N. Power, |
| Beebe, | King, | P. Power, |
| Brown, | Kirkland, | Ralph, |
| Brownell, | Lapham, | Sanborn, |
| Chamberlin, | Littlejohn, | St. Aubin, |
| Chapel, | Lomison, | Sherman, |
| Church, | Lovell, | Shier, |
| J. Divine, | Luce, | Smith, |
| R. K. Divine. | McIntyre, | Stout, |
| Duncan, | Middlesworth, | Strang, |
| DuPuy, | Mills, | Tompkins, |
| Eddy, | D. N. Montague, | Ward, |
| Edwards, | H. Montague, | Wells, |
| Enos, | Moorman, | Wendell, |
| Ewell, | Mussey, | Whitmore, |
| Fitch, | Noble, | Wilbur, |
| Gregory, | Parker, | Williams, |
| Hall, | Parsons, | Speaker, |

57

NAYS.

0

The bill was ordered to take immediate effect.

House bill No. 100, being,

A bill to amend chapter 126 of the revised statutes, of the lien of mechanics and others,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Gregory, | Mr. Parker, |
| Beebe, | Hall, | Parsons, |
| Beecher, | Ives, | N. Power, |
| Brown, | Judd, | P. Power, |
| Cady, | King, | Ralph, |
| Chamberlin, | Kirkland, | St. Aubin, |
| Chapel, | Lapham, | Shier, |
| J. Divine, | Lomison, | Tompkins, |
| R. K. Divine. | Lovell, | Ward, |
| Duncan, | Luce, | Wells, |
| DuPuy, | McIntyre, | Wendell, |
| Eddy, | Middlesworth, | White, |
| Edwards, | D. N. Montague, | Whitmore, |
| Ewell, | Moorman, | Speaker, |
| Fitch, | Mussey, | |

44

NAYS.

| | | | |
|--|-----------------------------------|-------------------------------------|----|
| Mr. Atwood, Littlejohn, H. Montague, Noble, | Mr. Pettit, Sanborn, Smith, | Mr. Strang, Wilbur, Williams, | 10 |
|--|-----------------------------------|-------------------------------------|----|

Mr. Brown gave notice that on to-morrow he would move to reconsider the last vote.

House resolution No. 4, being,

Joint resolution relative to a claim of the State of Michigan against Chippewa county for State tax,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | | |
|---|---|---|----|
| Mr. Atwood, Ashmun, Beecher, Chapel, Church, J. Divine, R. K. Divine, Duncan, DuPuy, Eddy, Edwards, Enos, Ewell, Fitch, Gregory, Hall, | Mr. Ives, Judd, Kirkland, Littlejohn, Lomison, Luce, McIntyre, Middlesworth, Moorman, Mussey, Noble, Parker, Parsons, Pettit, N. Power, | Mr. P. Power, Ralph Sanborn, St. Aubin, Sherman, Smith, Strong, Tompkins, Ward, Wells, Wendell, White, Wilbur, Williams, Speaker, | 46 |
|---|---|---|----|

NAYS.

| | | | |
|---------------------------------|--|-----------------------------------|---|
| Mr. Brownell, Cady, King, | Mr. Lovell, D. N. Montague, H. Montague, | Mr. Shier, Stout, Whitmore, | 9 |
|---------------------------------|--|-----------------------------------|---|

A motion was made to adjourn, and the yeas and nays being taken, the same was lost, as follows:

YEAS.

| | | | |
|--|---|---|----|
| Mr. Beebe, Beecher, Brown, Cady, J. Divine, DuPuy, Eddy, Edwards, Ewell, Gregory, | Mr. King, Kirkland, Littlejohn, Lomison, Lovell, Luce, Middlesworth, D. N. Montague, H. Montague, Noble, | Mr. Parker, Pettit, N. Power, St. Aubin, Shier, Smith, Stout, Ward, Wilbur, | 29 |
|--|---|---|----|

NAYS.

| | | |
|---------------|-----------|--------------|
| Mr. Atwood, | Mr. Hall, | Mr. Sanborn, |
| Ashmun | Judd, | Sherman, |
| Brownell, | Lapham, | Strang, |
| Chamberlin, | McIntyre, | Tompkins, |
| Chapel, | Mills, | Wells, |
| Church, | Moorman, | Wendell, |
| R. K. Divine, | Mussey, | White, |
| Duncan, | Parsons, | Williams, |
| Enos, | P. Power, | Speaker, |
| Fitch, | Ralph, | 30 |

A bill to organize the township of Beech, in the county of Lapeer,
Was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Judd, | Mr. Pettit, |
| Beebe, | Kirkland, | N. Power, |
| Brown, | Lapham, | P. Power, |
| Chamberlin, | Lomison, | Ralph, |
| Chapel, | Lovell, | Sanborn, |
| Church, | Luce, | Sherman, |
| J. Divine, | McIntyre, | Stout, |
| R. K. Divine, | Middlesworth, | Strang, |
| Duncan, | Mills, | Tompkins, |
| DuPuy, | D. N. Montague, | Wells, |
| Eddy, | Moorman, | Wendell, |
| Edwards, | Mussey, | White, |
| Fitch, | Noble, | Williams, |
| Gregory, | Parker, | Speaker, |
| Hall, | Parsons, | 44 |

NAYS.

| | | |
|---------------|------------|------------|
| Mr. Brownell, | Mr. Ewell, | Mr. Shier, |
| Cady, | Ives, | Ward, |
| Enos, | | |

7

On motion,

The House adjourned.

Lansing, Friday, February 9, 1855.

House called to order at 9 o'clock.

Prayer by Rev. Mr. ———

Roll called; a quorum present.

Leave of absence was granted to Messrs. Dunakin and Barclay.

PETITIONS PRESENTED.

The Speaker presented the petition of T. Jaques and 12 others; also, of John Monks and 12 others, to annex a part of Boston to Keena, in Lewis county.

Laid on the table.

By Mr. Mussey: petition of T. M. Perry and 56 others, remonstrating against changing the name of the village of Ashley, in the county of Maccomb.

Laid on the table.

By Mr. Wendell: of E. A. Dodge, Jos. Ossigon, and other inhabitants of Cheboygan county, praying for township organization.

Referred to the committee on Towns and Counties.

By Mr. Judd: the remonstrance of H. Huffman, and 35 others, against the incorporation of the village of Jonesville.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. McIntyre, from the committee on Banks and Incorporations, to whom was referred the joint resolution in relation to the Railway of the Chippewa Portage Company, have, according to order, had the same under consideration, and instructed me as their chairman to report a substitute therefor, which is herewith submitted, the adoption and passage of which is respectfully recommended, and your committee request to be discharged from the further consideration of the subject.

Report accepted, committee discharged, substitute adopted, and ordered to a third reading.

By Mr. White:

The committee on Towns and Counties, to whom was referred,

A Senate bill to organize the county of Aranac,

Beg leave to report, that your committee have had the same under consideration, and instruct me, as their chairman, to report the same back to the House without amendment, and ask to be discharged, &c.

Report accepted, committee discharged, and the bill laid on the table.

Mr. Wells, from the Select committee, submitted the following report, which was laid on the table and ordered printed:

The Select committee, to whom was referred the Report of the Board of State Auditors for the year 1854, with instructions to inquire and report what claims, if any, were allowed by said Bonds contrary to law, and what further legislation is necessary on the subject, submit the following Report:

That most of the accounts contained in said Report were for the current expenses and repairs to the State offices, for printing and stationery, and for amounts expended in building and completing the State building; and there was also allowed to Charles J. Fox the sum of two thousand five hundred and four dollars and 94-100, the amount claimed by him for his services and expenses as agent for the State. The following appear to be the facts relating to said claim:

On the 12th of July, 1853, an appointment was made by Governor Parsons, in the following words:

EXECUTIVE OFFICE,
Lansing, July 12, 1853. }

"I hereby appoint Chas. J. Fox, an agent for the State of Michigan, to make investigations of trespasses upon primary school lands, and other lands belonging to the State; to take such steps as may seem necessary to put a stop to such trespasses; to seize any timber that may have been cut from such lands, and to sell or dispose of the same for the State, and prosecute for any trespass committed as aforesaid, under any laws of this State, for the punishment thereof.

[Signed]

ANDREW PARSONS."

Under this appointment, Mr. Fox was in the nominal employment of the State from the 13th of July, 1853, to the 16 of September 1854; and there was allowed him by the Board of State Auditors the following:

1854.

| | |
|---|----------|
| March, 2. Expenses as Agent for State Lands,..... | \$147 31 |
| " Traveling as " " " " | 248 88 |
| May 12. Salary as Timber Agent,..... | 660 00 |
| " Traveling expenses as such Agent,..... | 147 81 |
| Sept. 21. O. C. Fall, services in employ of C. J. Fox, Agent for State Lands—92 days, at 12 shillings,.. | 138 00 |
| " Expenses during that time,..... | 95 87 |

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| | |
|--|--------|
| Sept. 22. Professional services—paid Church,..... | 50 00 |
| “ “ “ Duncan,..... | 7 91 |
| “ Services as Agent, from February 29, to September 16, 1854,..... | 558 00 |
| “ Services of Wm. Furlong, in employ of Fox, as Agent, | 25 00 |
| Expenses of Fox, as Agent, from March to September,.... | 426 66 |

Total,\$2,504 14

Your Committee have found no provision of law establishing the rate of compensation of such an Agent, nor does the appointment itself fix the rate, or provide for any salary. And your Committee having requested the Hon. Andrew Parsons, late Governor of this State, to appear before them, and state what, if any, understanding existed between himself and Mr. Fox on that subject, submitted the following statement of facts:

To Hon. the Chairman of the Select Committee, to whom was referred the Report of the Board of State Auditors, for the year 1854:

In pursuance of the request of your committee, that I make a statement as to the occasion and power of the appointment of Mr. Fox as an agent for the State to look after trespasses upon State lands, and what I may know in regard to the amount audited and paid him as such agent, and whether I intended or expected such appointment would result in so large a charge upon the State Treasury as has been allowed and paid Mr. Fox, I respectfully submit the following as a statement of the facts, so far as I know anything about them:

Just before the appointment of Mr. Fox, I was in Detroit, when Geo. E. Hand, Esq., U. S. District Attorney for Michigan, called upon me, and stated that the United States Timber Agent, (Mr. Willard,) while traveling in different portions of the State to look after and put a stop to trespasses on government lands, he had found that in many instances trespasses had been and were being committed upon Primary School and State lands, and that he thought the State government ought to co-operate with the general government in putting a stop to these trespasses, and that I ought, for the interest of the State, to appoint an agent for that purpose.

I then asked him if he thought I had the power to do so. He replied that the provision of the Constitution "that the Executive shall take care that the laws shall be faithfully executed," and the incidental power of the Executive to take all necessary measures to prevent the property of the State from going to destruction or loss, would fully warrant the authority exercised in this case; in which opinion, upon reflection, I concurred.

Mr. Willard, the U. S. Timber Agent, soon after my consultation with Mr. Hand, called on me and made the same statement before alluded to, in relation to trespasses upon Primary School and State lands and concurred in the recommendation of Mr. Hand concerning the appointment of an agent. Hon. Mr. Swegles, then Auditor General, was in Detroit, and I consulted with him in relation to the matter, and he expressed his opinion in favor of the appointment of such agent, and then recommended as a suitable person for such appointment Mr. Fox, with whom he was well acquainted, and I accordingly appointed him.

Before Mr. Fox entered upon his duties as such agent, I told him personally, that I did not expect to make his office any considerable charge upon the State Treasury, but that he would make the trespassers pay him for expenses and time. I saw Mr. Fox several months afterwards and inquired of him how he got along, and whether he thought he was accomplishing any good as such agent, when he assured me that he had put a stop to many and extensive trespasses, and procured a large amount of land to be purchased by trespassers who had despoiled the land of timber, and also that he had thus far collected enough of trespassers to pay his entire expenses and to remunerate him for his time, and that he thought he should be able in the future to do as much, and perhaps pay something into the State Treasury besides. Assuring him again that I did not expect his agency to be a charge upon the State Treasury, and believing that it would not, I gave myself no further trouble about it, and never knew or supposed that any thing had been drawn by Mr. Fox, until I saw the report of the Board of State Auditors, after my term of office had expired. I have had no explanation from Mr. Fox in regard to this matter, and am unable to give any reason why he drew from the Treasury the sums which were audited him.

All of which is very respectfully submitted.

ANDREW PARSONS.

The committee having examined the Records in the office of the State Treasurer, for the purpose of ascertaining what amounts were reported by Mr. Fox, or received from sale of timber cut from the State Lands, or for trespasses or otherwise in the agency, and find that during the time of his employment, he received from such sources in all, the sum of twenty-nine dollars, which he reports as having been recovered in five trespass suits.

By the act relative to the power and duties of the Board of State Auditors, Session Laws of 1851, page 173, it is provided that the Board "shall not allow and audit any claim against the State, unless the same shall be established by competent testimony, and said Board shall keep a record of its proceedings which shall contain each claim presented and its items, an *abstract of its evidence* taken, the amount adjusted and settled in favor of the person or persons presenting the claims, or in favor of the State, and any member of said Board shall have power to administer oaths to any person or persons presenting claims or to witnesses, and to issue subpoenas to any part of the State.

Under this provision of law your committee suppose some legal evidence or sworn testimony is required to support every claim against the State, before the Board of Auditors can allow the same. But they do not find any evidence on the files in relation to any of the accounts so allowed to Mr. Fox, nor is there any abstract of evidence taken to support the claims; some of them are certified to by Mr. Fox himself, but none are supported by oath or affirmation, not even of the claimant himself.

Your Committee are of opinion that the laws creating the Board of State Auditors and prescribing their duties, are sufficiently clear as to their powers, and define with reasonable certainty the manner in which the same shall be executed, and that a faithful compliance with the provisions of Act No. 142, Session Laws of 1851 on the part of the Board of State Auditors, will protect the State from the payment of fraudulent claims and secure the fair and honorable adjustment of demands that ought to be allowed.

Mr. Tiffany submitted the following:

The committee on the Judiciary, to whom was referred,

Senate bill—one to amend section 57, of chapter 90 of the revised statutes of 1846, relative to trials by jury in the courts of chancery,

and one to revive and re-enact section 18, of chapter 94 of the revised statutes of 1846, relative to appeals in cases within the criminal jurisdiction of Justices of the Peace; and also,

A House bill to provide for the sale of certain lands in the village of Jackson, belonging to the State;

Have considered the same, and have instructed me to report the same back, with a recommend that they do severally pass, and ask to be discharged, &c.

Report accepted, committee discharged, and the several bills ordered to a third reading.

Mr. Beecher submitted the following:

The committee on Ways and Means, to whom was referred House bill No. 31, to amend certain sections of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, have had the same under consideration, and report the following bill as a substitute, and recommend the same do pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the substitute accepted.

Mr. Sanborn moved to strike out of the 19th section thereof, the "fifty per cent. clause."

Mr. McIntyre moved to re-commit the substitute to the committee on the Judiciary, without instruction.

Carried.

Mr. Beecher submitted the following:

The committee of Ways and Means, to whom was referred a bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved Feb. 14, 1853, have had the same under consideration, and instructed their chairman to report the same back to to this House, with a recommend that it do pass, and that your committee be discharged from the further consideration of the same.

Report accepted, committee discharged, and the bill referred to the committee on the Judiciary.

The Speaker announced the following:

MESSAGES FROM THE OTHER HOUSE.

SENATE CHAMBER,
Lansing, February 9, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives, Senate bill, being,

A bill making appropriations for the State Normal School,

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,
Sec'y of Senate.

The bill was referred to the committee on Education.

Also, the following:

SENATE CHAMBER,
Lansing, February 9, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to transmit to the House of Representatives, Senate bill No. 46, being,

A bill to authorize the consolidation of the Detroit and Pontiac and the Oakland and Ottawa Railroad Companies, so as to form a continuous line from Detroit to Lake Michigan, under the name of the Detroit and Milwaukee Railway Company,

In the amendment to which, as reported by the committee of Conference, the Senate have concurred, and respectfully ask the concurrence of the House therein.

Very respectfully,

I. W. WILDER,
Sec'y of Senate.

The House concurred in the amendment, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Brown,

Mr. Hall,
Hurd,
Ives,
Kirkland,

Mr. F. Power,
Reynolds,
Ross,
Sanborn,

Brownell,
Chamberlin.
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Enos,
Fitch,
Gregory,

Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
H. Montague,
Moorman,
Noble,
Parsons,
Pettit,
N. Power,

Sherman,
Smith,
Stout,
Strang,
Sutherland,
Ward,
Wells,
Wendell,
Wilbur,
Williams,
Speaker,

47

NAYS.

Mr. Beecher,
Cady,
Ewell,
Hixon,

Mr. Judd,
Mills,
D. N. Montague,
Ralph,

Mr. St. Aubin,
Shier,
White,
Whitmore,

12

Also, the following:

SENATE CHAMBER,
Lansing, February 9, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives
House bill No. 35, being,

A bill to establish a House of Correction for juvenile offenders,
In which the Senate have concurred by a majority vote.

Very respectfully,

I. W. WILDER,
Sec'y of Senate.

The bill was ordered enrolled.

Also, the following:

SENATE CHAMBER,
Lansing, February 8, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of
Representatives,

House bill No. 41, being,

A bill to provide for laying out and establishing a certain State road.

A bill to amend chapter 58, title 11 of the revised statutes of 1846,
relative to the power of school districts in furnishing fuel for schools.

A bill to amend section 1 of act No. 252 of the session laws of
1850.

A bill to amend section 6 of chapter 34, title 6 of the revised statutes of 1846.

In all of which the Senate have concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of said Senators, ordered the first three named to take immediate effect.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

The several bills were ordered enrolled.

Also the following:

SENATE CHAMBER,
Lansing, February 8, 1855. }

To the Speaker of the House of Rep's:

Sir—I am instructed by the Senate to transmit to the House of Representatives,

1. A bill to re-arrange the Senate Districts in this State.
2. A bill to confirm certain sales of lands.
3. A bill to organize the town of Arcadia, in the county of Gratiot.
4. A bill to provide for the organization of the township of Buel, in the county of Sanilac.
5. A bill ceding to the United States of America, jurisdiction over certain lands situate in the city of Detroit, and for other purposes.
6. A bill to amend section 15 of chapter 15 of the revised statutes of 1846.
7. A bill to provide for the inspection of lumber.
8. A bill to organize the township of Allison, in Lapeer county.
9. A bill to amend an act entitled an act to incorporate the Plymouth and Dearborn Plank Road Company.
10. Joint resolution for the relief of Hiram R. Andrews.
11. A bill to organize the town of Millington, in the county of Tuscola.
12. A bill to renew the warrant for, and extend the time of collecting the taxes of the year 1854, in the township of Hamburg, in the county of Livingston.
13. A bill to define the boundary line between Lapeer and Tuscola counties.

14. A bill to provide for the construction of Train Railways.

15. A bill to incorporate the village of Hastings.

All of which the Senate have passed by a majority vote of all the Senators elect, except the 9th named bill, which passed by a majority of two-thirds of all said Senators; the 11th, 12th and 13th of which were ordered to take immediate effect, and the 14th and 15th of same, ordered to take effect in 30 days from the time of passage thereof, by a vote of two-thirds of all said Senators.

In all of which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

The several bills were referred to their appropriate committees.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Gregory moved that House bill No. 46 be taken from the general order, and placed upon the order of third reading of bills and resolutions, the same being,

A bill to amend an act entitled an act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846, approved April 8, 1851.

Carried.

Mr. White moved that the act to organize the town of Beech, in Lapeer county, be ordered to take immediate effect.

Carried, by a two-thirds vote.

Mr. Williams moved that the bill to incorporate the village of Dexter be ordered to take effect and be in force in twenty-five days after its passage.

Which motion prevailed, by a two-thirds vote.

Mr. Whitmore offered the following:

Resolved, That the committee on Education be required to collect, and cause to be printed in pamphlet form, the bills and proceedings of this House on the subject of the State Agricultural School, and of the Michigan Female College; and that said committee transmit to the various Township and County Clerks, officers of the various School Districts, Union Schools, Seminaries and Colleges in the State, two copies each of the same.

Laid on the table.

With the consent of the House,

Mr. Church submitted the following report:

The majority of the committee of Conference, appointed on the part of this House to meet a like committee on the part of the Senate, upon the difference between the House and Senate, relative to the amendment made by the House to the bill providing for the consolidation of the Detroit and Pontiac Railroad and the Oakland and Ottawa Railroad Companies, have instructed me to report that they have, in association with the said Senate committee, considered the existing difference, and that they recommend the adoption of the following amendment to the aforesaid bill; and further to report, that such amendment has been recommended to the said Senate by the committee acting in behalf thereof:

Senate bill 46.

Strike out section 9, and insert the following to stand as section 9:

"Section 9. The said company shall, on or before the first day of July, pay the State Treasurer an annual tax of one per cent. on the capital stock of said Company paid in; which tax shall be in lieu of all other taxes upon the property of said Company, except for penalties imposed upon said company by its act of incorporation, or any other law of this State. The said tax shall be estimated upon the last annual report of said corporation."

Report accepted and committee discharged.

Mr. Church moved to take from the table,

House bill No. 95, to repeal the charter of the village of Mount Clemens.

Which motion prevailed.

Mr. Beecher moved to take from the table the bill to apportion anew the Representatives among the several counties and districts of the State.

Carried.

Mr. Beecher offered a substitute for the bill.

On motion of Mr. Church,

The bill and substitute were laid on the table.

Mr. Stout submitted the following report:

The committee on Engrossment and Enrollment report as correctly enrolled, signed and presented this day to the Governor for approval,

An act to take township 6 north, of range 15 west, from the township of Ottawa, and annex the same to the township of Holland, in the county of Ottawa;

An act to supply the township school libraries of the State with the Michigan Journal of Education and Teachers' Magazine;

An act to provide for the collection of taxes in the town of Buena Vista, in the county of Saginaw, for the year 1854, and to extend the time for the collection thereof;

Joint resolution for the relief of Eliza Maria and Joseph Dutcher;

An act to amend an act entitled an act to incorporate the village of Romeo;

An act to amend an act entitled an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1, 1850.

With the consent of the House, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 9, 1855.

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to return to the House of Representatives,

A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1854, and to extend the time for the collection of the same; also,

A bill to authorize the Board of Health of the township of Waterford, in the county of Oakland, to control and possess a certain burial ground.

Each of which the Senate have passed by a majority vote of all the Senators elect, and the first named ordered to take immediate effect, by a vote of two-thirds of said Senators.

Very respectfully, &c.,

L. W. WILDER,
Secretary of the Senate.

The bills were referred to the committee on State Affairs.

On motion of Mr. Edwards,

A bill to incorporate the village of Trenton,

Was ordered to take immediate effect.

THIRD READING OF BILLS.

House bill No. 83, being,

A bill to organize the township of Branch, in the county of St. Clair,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Brownell,
Cady,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,
Gilman,
Hall,
Hathaway,
Hixon,
Hurd,
Ives,

Mr. Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
Miller,
Mills,
D. N. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Smith,
Strang,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Speaker,

52

NAYS.

The bill was ordered to take immediate effect.

Joint resolution for the relief of George Matthews,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,

Mr. Hathaway,
Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
Miller,
D. N. Montague,
Moorman,
Mussey,

Mr. Pettit,
N. Power,
P. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Shier,
Smith,
Strang,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,

Fitch,
Gilman,
Hall,

Noble,
Parker,

Williams,
Speaker,

58

NAYS.

Mr. Chamberlin,

Mr. Mills,

2

House bill No. 95, being,

A bill to organize the township of Kimball, in St. Clair county,

Was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brownell,
Cady,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine
Duncan,
DuPuy,
Eddy,
Ewell,
Gilman,
Gregory,
Hall,
Hathaway,

Mr. Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
Miller,
Mills,
D. N. Montague,
Moorman,
Mussey,
Noble,
Parker,

Mr. Pettit,
N. Power,
Ralph,
Reynolds,
Ross,
St. Aubin,
Shier,
Smith,
Stout,
Strang,
Tiffany,
Tompkins,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

86

NAYS.

0

The bill was ordered to take immediate effect.

A bill to provide for repairing and finishing the State Prison, and for the construction of cells therein,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brownell,
Cady,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,

Mr. Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,

Mr. Parker,
N. Power,
P. Power,
Ralph,
Ross,
Shier,
Smith,
Stout,
Strang,
Tiffany,

| | | |
|----------|-----------------|-----------|
| Eddy, | Miller, | Tompkins, |
| Edwards, | Mills, | Wells, |
| Fitch, | D. N. Montague, | Whitmore, |
| Gregory, | Moorman, | Williams, |
| Hall, | Mussey, | Speaker, |
| Hurd, | Noble, | |

47

NAYS.

| | | |
|-------------|----------------|--------------|
| Mr. Atwood, | Mr. Chatfield, | Mr. Parsons, |
| Barclay, | Ewell, | Pettit, |
| Chamberlin, | Hixon, | Reynolds, |
| Chapel, | H. Montague, | St. Aubin, |

12

The bill was ordered to take immediate effect.

A bill to amend section 4 of an act to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road, approved February 14, 1853,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Kirkland, | Mr. Parker, |
| Ashmun, | Lapham, | Parsons, |
| Beebe, | Littlejohn, | Pettit, |
| Brownell, | Lomison, | P. Power, |
| Cady, | Lovell, | Reynolds, |
| Chamberlin, | Luce, | Ross, |
| Chapel, | Middlesworth, | Tiffany, |
| Chatfield, | Mills, | Ward, |
| Church, | D. N. Montague, | Wells, |
| R. K. Divine, | H. Montague, | Wendell, |
| Duncan, | Moorman, | White, |
| DuPuy, | Mussey, | Speaker, |
| Judd, | Noble, | |

38

NAYS.

| | | |
|-----------|------------|------------|
| Mr. Eddy, | Mr. Hixon, | Mr. Smith, |
| Edwards, | Hurd, | Stout, |
| Ewell, | King, | Strang, |
| Gilman, | Miller, | Tompkins, |
| Gregory, | N. Power, | Whitmore, |
| Hall, | Ralph, | Williams, |
| Hathaway, | | |

19

The bill was ordered to take immediate effect.

A bill to prevent the issue and sale of fraudulent stock by incorporated companies,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Ives, | Mr. P. Power, |
| Beebe, | Kirkland, | Ralph, |
| Beecher, | Lapham, | Reynolds, |
| Brownell, | Lomison, | Ross, |
| Cady, | Luce, | St. Aubin, |
| Chatfield, | Middleasworth, | Sherman, |
| J. Divine, | Miller, | Smith, |
| R. K. Divine, | Mills, | Stout, |
| Duncan, | D. N. Montague, | Strang, |
| Du Puy, | H. Montague, | Tiffany, |
| Eddy, | Moorman, | Tompkins, |
| Edwards, | Mussey, | Wells, |
| Enos, | Noble, | Wendell, |
| Ewell, | Parker, | White, |
| Gregory, | Parsons, | Whitmore, |
| Hall, | Pettit, | Williams, |
| Hurd, | N. Power, | Speaker, |

51

NAYS.

| | | |
|-------------|------------|-----------|
| Mr. Atwood, | Mr. Hixon, | Mr. Judd, |
| Gilman, | | |

4

The bill was then ordered to take immediate effect.

A bill to provide for the election of County Auditors in the county of Wayne,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hathaway, | Mr. Pettit, |
| Ashmun, | Hixon, | N. Power, |
| Beebe, | Ives, | P. Power, |
| Cady, | Judd, | Ralph, |
| Chamberlin, | Kirkland, | Reynolds, |
| Chatfield, | Lapham, | St. Aubin, |
| Church, | Lomison, | Smith, |
| J. Divine, | Lovell, | Strang, |
| R. K. Divine, | Luce, | Tiffany, |
| Duncan, | Miller, | Tompkins, |
| DuPuy, | Mills, | Ward, |
| Eddy, | D. N. Montague, | Wells, |
| Edwards, | Mussey, | Wendell, |
| Enos, | Noble, | White, |
| Ewell, | Parker, | Williams, |
| Gilman, | Parsons, | Speaker, |
| Gregory, | | |

40

NAYS.

| | |
|-------------------|-----------------|
| Mr. Middlesworth, | Mr. Sutherland, |
|-------------------|-----------------|

2

The bill was ordered to take immediate effect.

A bill making an appropriation for the purchase of a fire engine for the protection of the State property at the Capital,

Was read a third time and lost, by yeas and nays, as follows:

YEAS

| | | |
|---------------|---------------|--------------|
| Mr. Atwood, | Mr. DuPuy, | Mr. Moorman, |
| Ashmun, | Eddy, | Noble, |
| Beebe, | Edwards, | Parker, |
| Cady, | Fitch, | Parsons, |
| Chatfield, | Gilman, | Pettit, |
| Church, | Gregory, | P. Power, |
| J. Divine, | Kirkland, | Strang, |
| R. K. Divine, | Lomison, | White, |
| Duncan, | Middlesworth, | Speaker, |

27

NAYS.

| | | |
|---------------|--------------|---------------|
| Mr. Brownell, | Mr. Lapham, | Mr. Reynolds, |
| Chamberlin, | Littlejohn, | St. Aubin, |
| Chapel, | Lovell, | Smith, |
| Enos, | Luce, | Stout, |
| Ewell, | Miller, | Tompkins, |
| Hixon, | Mills, | Ward, |
| Hurd, | H. Montague, | Wells, |
| Ives, | Mussey, | Wendell, |
| Judd, | N. Power, | Williams, |
| King, | | |

28

A bill to repeal an act to incorporate the Paw Paw Plank Road Company, approved April 3d, 1848,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Pettit, |
| Ashmun, | Hathaway, | N. Power, |
| Beecher, | Hixon, | P. Power, |
| Brownell, | Ives, | Ralph, |
| Cady, | Judd, | Reynolds, |
| Chapel, | Kirkland, | St. Aubin, |
| Chatfield, | Lapham, | Sherman, |
| Church, | Littlejohn, | Smith, |
| J. Divine, | Lovell, | Strang, |
| R. K. Divine, | Luce, | Tiffany, |
| Duncan, | Middlesworth, | Tompkins, |
| Eddy, | D. N. Montague, | Ward, |
| Edwards, | H. Montague, | Wells, |
| Enos, | Moorman, | Wendell, |
| Ewell, | Mussey, | Whitcomb, |

Fitch,
Gilman,Parker,
Parsons,

Williams,

50

NAYS.

Mr. Beebe,
Chamberlin,Mr. Lomison,
Miller,Mr. Mills,
Noble,

6

A bill to amend an act entitled an act to provide for the incorporation of Railroad Companies,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Cady,
Chapel,
Chatfield,
J. Divine,
R. K. Divine,
Duncan,
Edwards,
Gilman,
Hixon,
Hurd,
Ives,
Judd,
Kirkland,
Lapham,

Mr. Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parsons,
Pettit,
N. Power,
P. Power,

Mr. Ralph,
Reynolds,
Ross,
St. Aubin,
Sherman,
Smith,
Strang,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

43

NAYS.

Mr. Ashmun,
Beebe,
Brownell,
Eddy,
Enos,

Mr. Ewell,
Fitch,
Hathaway,
Miller,
Mills,

Mr. Parker,
Stout,
Tiffany,
Tompkins,

15

A bill to detach townships No. 33, 34, 35 and 36 north, of range 2 east, from the county of Presque Isle, and annex the same to the county of Cheboygan,

Was read a third time and lost, as follows, a majority of all the members elect not having voted for the bill:

YEAS.

Mr. Beebe,
Beecher,
Brownell,
Cady,
Church,
R. K. Divine,
Duncan,
Eddy,

Mr. Littlejohn,
Lomison,
McIntyre,
Middlesworth,
Miller,
H. Montague,
Moorman,
Mussey,

Mr. Rosa,
Sanborn,
St. Aubin,
Smith,
Stout,
Ward,
Wells,
Wendell,

Enos,
Ewell,
Ives,
Kirkland,

Parker,
Pettit,
N. Power,
Ralph,

White,
Whitmore,
Williams,
Speaker, 36

NAYS.

Mr. Ashmun,
Chatfield,
J. Divine,
Edwards,
Fitch,

Mr. Gregory,
Hixon,
Hurd,
Lapham,
Lovell,

Mr. Luce,
D. N. Montague,
Noble,
Strang, 14

Mr. Wendell moved to reconsider the last vote.

Carried.

Mr. Fitch moved a call of the House.

Carried.

Roll called, and Messrs. Beecher, Chapel, P. Power, Ross, Shier, Sutherland and Wilbur, were absent without leave.

On motion of Mr. Edwards,

All farther proceedings under the call were dispensed with.

The question recurring upon the passage of the bill, it was passed, as follows:

YEAS.

Mr. Atwood,
Beebe,
Brown,
Brownell,
Cady,
Church,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Gilman,
Ives,

Mr. Judd,
Kirkland,
Littlejohn,
Lomison,
McIntyre,
Middlesworth,
Miller,
Mills,
Moorman,
Munsey,
Noble,
Parker,
Pettit,
N. Power,
P. Power,

Mr. Ralph,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Smith,
Stout,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker, 44

NAYS.

Mr. Ashmun,
Beecher,
Chamberlin,
Chatfield,
Fitch,
Gregory,
Hall,

Mr. Hathaway,
Hixon,
Hurd,
King,
Lapham,
Lovell,
Luce,

Mr. D. N. Montague,
H. Montague,
Parsons,
Strang,
Tiffany,
Tompson,

20

The bill was ordered to take immediate effect.

Mr. Stout moved that a bill to provide for the collection of taxes in the town of Buena Vista, for the year 1854, and to extend the time for the collection thereof, be ordered to take immediate effect.

Which motion prevailed.

A bill to incorporate the village of East Saginaw,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|--------------|-------------|
| Mr. Atwood, | Mr. Hurd, | Mr. Pettit, |
| Ashmun, | Ives, | N. Power, |
| Beebe, | King, | P. Power, |
| Beecher, | Kirkland, | Ralph, |
| Brown, | Lapham, | Reynolds, |
| Brownell, | Littlejohn, | Sanborn, |
| Cady, | Lemison, | St. Aubin, |
| Chatfield, | Lovell, | Stout, |
| Church, | Luce, | Sutherland, |
| J. Divine, | McIntyre, | Tiffany, |
| R. K. Divine, | Middleworth, | Tompkins, |
| Duncan, | Miller, | Ward, |
| Eddy, | Mills, | Wells, |
| Edwards, | H. Montague, | Wendell, |
| Enos, | Moorman, | White, |
| Ewell, | Mussey, | Whitmore, |
| Gregory, | Parker, | Williams, |
| Hall, | Parsons, | Speaker, |
| Hathaway, | | |

55

NAYS.

Mr. Noble,

1

The bill was ordered to take effect in 30 days from and after its passage.

A bill appropriating certain internal improvement lands for opening and improving a road from Watrousville, in the county of Tuscola, to Lower Saginaw, in Saginaw county,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|--------------|-------------|---------------|
| Mr. Atwood, | Mr. Hurd, | Mr. N. Power, |
| Ashmun, | Ives, | P. Power, |
| Beebe, | Judd, | Ralph, |
| Brown, | Kirkland, | Reynolds, |
| Cady, | Lapham, | Ross, |
| Chamberlain, | Littlejohn, | Sanborn, |

| | | |
|---------------|-----------------|-------------|
| Chatfield, | Lomison, | St. Aubin, |
| Church, | Luce, | Sherman, |
| J. Divine, | McIntyre, | Smith, |
| R. K. Divine, | Middleworth, | Strang, |
| Duncan, | Miller, | Tiffany, |
| DuPuy, | Mills, | Tompkins, |
| Eddy, | D. N. Montague, | Ward, |
| Edwards, | Moorman, | Wells, |
| Fitch, | Massey, | Weedell, |
| Gilman, | Noble, | White, |
| Gregory, | Parker, | Whitmore, |
| Hall, | Parsons, | Williams, |
| Hathaway, | Pettit, | Speaker, 57 |

NAYS.

| | | |
|---------------|--------------|------------|
| Mr. Brownell, | Mr. Ewell, | Mr. Stier, |
| Chapel, | Hixon, | Stout, |
| Enos, | H. Montague, | 8 |

The bill was ordered to take immediate effect.

With the unanimous consent of the House,

Mr. Littlejohn reported as follows:

The committee on State Affairs, to whom was referred Senate bill to authorize the Board of Health of the township of Waterford, in the county of Oakland, to control and possess a certain burial ground, have had the same under consideration, and have instructed their chairman to report the same back to the House, without amendment, recommending its passage, and asking to be discharged from the further consideration of the subject.

Also, the following:

The committee on State Affairs, to whom was referred Senate bill to renew the warrant for and extend the time of collecting the taxes of the year 1854, in the township of Hamburg, in the county of Livingston, have had the same under consideration, and have instructed their chairman to report the same back to the House, without amendment, recommending its passage, and asking to be discharged from the further consideration of the subject.

Also, the following:

The committee on State Affairs, to whom was referred the Senate bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1854, and to extend the time for the collection of the same, have had the same under consideration,

and have instructed their chairman to report the same back to the House, without amendment, recommending its passage, and asking to be discharged from the further consideration of the same.

Also, the following:

The committee on State Affairs, to whom was referred the Senate bill to provide for the inspection of lumber, have had the same under consideration, and have instructed their chairman to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from its further consideration.

Also, the following:

The committee on State Affairs, to whom was referred the Senate bill ceding to the United States of America jurisdiction over certain lands and their appurtenances, situate in the city of Detroit, and for other purposes therein mentioned, have had the same under consideration, and have instructed their chairman to report the same back to the House, without amendment, recommending its passage, and asking to be discharged from the further consideration of the subject.

All of which reports were accepted, the committee discharged, and the several bills ordered to a third reading.

On motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

With unanimous consent,

Mr. H. Montague offered the following:

Resolved, (the Senate concurring,) That the two Houses will meet in joint convention to-morrow evening, the 10th inst., at 7 o'clock, for the purpose of electing a Trustee of the Michigan Asylums, to fill the vacancy occasioned by the resignation of Parley J. Spaulding.

Mr. White, with consent, introduced,

A joint resolution to appoint a committee to investigate into State Affairs.

Which was laid on the table.

With consent of the House,

Mr. Tiffany made the following report:

The committee on the Judiciary, to whom was recommitted House bill No. 31, being,

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853,

And the substitute therefor, proposed by the committee of Ways and Means, have, according to order, had the same under consideration, and instructed me to report the same to the House, with sundry amendments, in which the concurrence of the House is respectfully requested, and the committee ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendments concurred in, in gross.

The bill was then read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Lomison, | Mr. Sanborn, |
| Beebe, | Luca, | Shier, |
| Beecher, | McIntyre, | Stout, |
| Brown, | Miller, | Strang, |
| Brownell, | D. N. Montague, | Sutherland, |
| Oady, | H. Montague, | Tiffany, |
| Chapel, | Moorman, | Tompkins, |
| Church, | Mussey, | Ward, |
| R. K. Divine. | Noble, | Wells, |
| Edwards, | Parker, | Wendell, |
| Enos, | Pettit, | Whitmore, |
| Ewell, | N. Power, | Wilbur, |
| Hathaway, | P. Power, | Williams, |
| Ives, | Ralph, | Speaker, |
| Judd, | Ross, | |

44

NAYS.

| | | |
|-------------|------------|--------------|
| Mr. Ashmun, | Mr. Fitch, | Mr. Parsons, |
| Chamberlin, | Gilman, | Reynolds, |
| Chatfield, | Hixon, | St. Aubin, |
| Duncan, | Kirkland, | Sherman, |
| Eddy, | Lovell, | Smith, |

15

Mr. Tiffany also submitted the following.

The committee on the Judiciary, to whom was referred,

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853,

Have had the same under consideration, and instructed me, as their chairman, to report the same back without amendment, and ask that it do pass, and that your committee be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. King, | Mr. P. Power, |
| Beebe, | Lapham, | Ralph, |
| Beecher, | Luce, | Sanborn, |
| Brown, | McIntyre, | Shier, |
| Brownell, | Miller, | Stout, |
| R. K. Divine, | Mills, | Tiffany, |
| Eddy, | D. N. Montague, | Tompkins, |
| Edwards, | H. Montague, | Ward, |
| Enos, | Moorman, | Wells, |
| Gilman, | Mussey, | White, |
| Gregory, | Noble, | Whitmore, |
| Hall, | Parker, | Williams, |
| Hurd, | Pettit, | Speaker, |
| Judd, | N. Power, | |

41

NAYS.

| | | |
|-------------|-------------|-------------|
| Mr. Atwood, | Mr. Fitch, | Mr. Ross, |
| Cady, | Hathaway, | St. Aubin, |
| Chamberlin, | Hixon, | Sherman, |
| Chapel, | Kirkland, | Smith, |
| Chatfield, | Littlejohn, | Strang, |
| Church, | Lomison, | Sutherland, |
| J. Divine, | Lovell, | Wendell, |
| Duncan, | Parsons, | Wilbur, |
| Ewell, | Reynolds, | |

26

Mr. Sanborn moved to amend the title, so as to read as follows:

A bill to provide for the publishing the delinquent tax lands in each county in the State.

Lost.

Mr. Church moved to amend the title so as to read,

A bill to provide for the easy resumption of the public patronage by the Democrats, on their return to power in 1856.

Which motion the Speaker decided out of order, as not germane to the subject.

With the consent of the House,

Mr. Beecher submitted the following:

The special committee to whom was referred the bill to re-arrange the Senate Districts in this State, have had the same under consideration, and instructed their chairman to respectfully report the same back to the House, with two amendments, in which the concurrence of the House is asked, and that your committee may be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendments concurred in, and

On motion of Mr. Tiffany,

The bill was re-committed to the special committee on Apportionment.

By unanimous consent,

Mr. Williams reported as follows:

The select committee to whom was referred the Senate bill to incorporate the village of Hastings, would report that they have had the same under consideration, and have instructed their chairman to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged.

Report accepted, committee discharged, and the bill read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Fithaway, | Mr. P. Power, |
| Ashman, | Hurd, | Ralph, |
| Beecher, | Ives, | Reynolds, |
| Brown, | Judd, | Ross, |
| Brownell, | Kirkland, | Sanborn, |
| Cady, | Lapham, | St. Aubin, |
| Chamberlain, | Loomison, | Shier, |
| Chapel, | Lovell, | Smith, |
| Chatfield, | Luce, | Stout, |
| Church, | McIntyre, | Strang, |
| J. Divine, | Miller, | Sutherland, |
| R. K. Divine, | Mills, | Tiffany, |
| Duncan, | D. N. Montague, | Tompkins, |
| Eddy, | Moorman, | Ward, |
| Edwards, | Munsey, | Wendell, |

| | | | |
|----------|-----------|-----------|----|
| Enos, | Noble, | White, | |
| Ewell, | Parker, | Whitmore, | |
| Fitch, | Parsons, | Wilbur, | |
| Gregory, | Pettit, | Williams, | |
| Hall, | N. Power, | Speaker, | 60 |
| | NAYS. | | |

Mr. Gilman, 1

The bill was ordered to take effect in 30 days from and after its passage.

Mr. Sanborn, with unanimous consent, reported as follows:

The committee on Public Lands have had under consideration,

A joint resolution for the relief of Alexander R. Tiffany,

And have instructed me to report the same back, recommending that it pass, and ask to be discharged from the further consideration thereof.

Report accepted, committee discharged, and the joint resolution was read a third time and passed, as follows:

YEAS.

| | | | |
|---------------|-----------------|---------------|----|
| Mr. Ashmun, | Mr. Ives, | Mr. P. Power, | |
| Brown, | Judd, | Ralph, | |
| Oady, | King, | Reynolds, | |
| Chapel, | Kirkland, | Ross, | |
| Chesfield, | Lapham, | Sanborn, | |
| Church, | Littlejohn, | St. Aubin, | |
| J. Divine, | Lomson, | Shier, | |
| R. K. Divine, | Lovell, | Smith, | |
| Duncan, | Luce, | Stout, | |
| DePuy, | McIntyre, | Strang, | |
| Eddy, | Miller, | Sutherland, | |
| Enos, | Mills, | Tompkins, | |
| Ewell, | D. N. Montague, | Ward, | |
| Fitch, | Moorman, | Wells, | |
| Gilman, | Noble, | Wendell, | |
| Gregory, | Parker, | White, | |
| Hall, | Parsons, | Whitmore, | |
| Hixon, | Pettit, | Williams, | |
| Hurd, | N. Power, | Speaker, | 57 |
| | NAYS. | | 0 |

The joint resolution was ordered to take immediate effect.

With unanimous consent,

Mr. Judd introduced,

A joint resolution in relation to the claim of S. B. Sharp and D. H. Jackson, for the destruction of wolves in the Upper Peninsula.

Which was read a first and second time, and referred to the committee of Ways and Means.

A bill to authorize the Board of Health of the town of Waterford, in the county of Oakland, to control and possess a certain burial ground,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|---------------|
| Mr. Atwood, | Mr. Judd, | Mr. P. Power, |
| Beecher, | Kirkland, | Ralph, |
| Brownell, | Littlejohn, | Reynolds, |
| Cady, | Lomison, | Ross, |
| Chamberlin, | Lovell, | St. Aubin, |
| Chatfield, | Luce, | Shier, |
| Church, | Miller, | Strang, |
| Duncan, | D. N. Montague, | Sutherland, |
| Edwards, | H. Montague, | Tompkins, |
| Ewell, | Meorman, | Ward, |
| Gregory, | Noble, | Wendell, |
| Hall, | Parker, | Whitmore, |
| Hathaway, | Pettit, | Williams, |
| Hixon, | N. Power, | Speaker, |
| Ives, | | |

44

NAYS.

| | | | |
|-------------|-------------|------------|---|
| Mr. Ashmun, | Mr. Chapel, | Mr. Mills, | 3 |
|-------------|-------------|------------|---|

A bill to provide for the inspection of lumber,

Was read a third time, when

Mr. Fitch moved its indefinite postponement.

Lost.

On motion of Mr. Sanborn,

The bill was re-committed to the committee on Towns and Counties, with instruction to report as soon as possible.

A bill to renew the warrant for, and extend the time of collecting the taxes for the year 1854, in the township of Hamburg, in the county of Livingston,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------|------------|
| Mr. Atwood, | Mr. Hall, | Mr. Ralph, |
| Brown, | Hathaway, | Reynolds, |
| Brownell, | Judd, | Ross, |
| Chapel, | Kirkland, | Sanborn, |
| Chatfield, | Lomison, | St. Aubin, |
| Church, | Lovell, | Shier, |
| J. Divine, | McIntyre, | Smith, |

| | | |
|---------------|-----------------|-----------|
| R. K. Divine, | D. N. Montague, | Tiffany, |
| Duncan, | Moorman, | Ward, |
| Edwards, | Parker, | White, |
| Enos, | Pettit, | Williams, |
| Fitch, | N. Power, | Speaker, |
| Gilman, | P. Power, | |

38

NAYS.

| | | |
|-------------|-----------------|-------------|
| Mr. Ashmun | Mr. Littlejohn, | Mr. Strang, |
| Chamberlin, | Luce, | Tompkins, |
| Gregory, | Miller, | Wendell, |
| Hixon, | Mills, | |

11

The bill was ordered to take immediate effect.

A bill ceding to the United States of America, jurisdiction over certain lands and their appurtenances, situate in the city of Detroit, and for other purposes therein mentioned,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Judd, | Mr. Ralph, |
| Beecher, | King, | Reynolds, |
| Brown, | Kirkland, | Ross, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Littlejohn, | St. Aubin, |
| Chapel, | Lomison, | Shier, |
| Chatfield, | Lovell, | Smith, |
| Church, | Luce, | Stout, |
| R. K. Divine, | McIntyre, | Strang, |
| Duncan, | Miller, | Sutherland, |
| Eddy, | Mills, | Tiffany, |
| Edwards, | D. N. Montague, | Tompkins, |
| Ewell, | Moorman, | Ward, |
| Fitch, | Noble, | White, |
| Gregory, | Parker, | Whitmore, |
| Gilman, | Parsons, | Wilbur, |
| Hall, | Pettit, | Williams, |
| Hathaway, | N. Power, | Speaker, |
| Hixon, | P. Power, | |

56

NAYS.

| | |
|--------------|--|
| Mr. Wendell, | |
|--------------|--|

1

A bill to provide for the collection of taxes in the township of Marquette, in the county of Marquette, for the year 1854, and to extend the time for the collection of the same,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Reynolds, |
| Beecher, | Gilman, | Ross, |
| Brown, | Hall, | Sanborn, |
| Brownell, | Hathaway, | Sherman, |
| Chamberlin, | Lomison, | Shier, |
| Chapel, | Lovall, | Smith, |
| Chaifield, | McIntyre, | Sutherland, |
| Church, | D. N. Montague, | Tiffany, |
| J. Divine, | Moorman, | Ward, |
| R. K. Divine, | Parker, | White, |
| Duncan, | Pettit, | Wilbur, |
| DuPuy, | N. Power, | Williams, |
| Eddy, | P. Power, | Speaker, |
| Edwards, | Ralph, | |

41

NAYS.

| | | |
|-------------|-----------|------------|
| Mr. Ashmun, | Mr. King, | Mr. Mills, |
| Fitch, | Kirkland, | Noble, |
| Gregory, | Lapham, | Strang, |
| Hixon, | Luce, | Tompkins, |
| Judd, | Miller, | Whitmore, |

15.

The bill was ordered to take immediate effect.

A bill relative to the rights of married women,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Beecher, | Mr. Hathaway, | Mr. Ralph, |
| Brown, | Hurd, | Reynolds, |
| Brownell, | Ives, | Ross, |
| Cady, | Judd, | Sanborn, |
| Chamberlin, | Kirkland, | St. Aubin, |
| Church, | Lapham, | Sherman, |
| J. Divine, | Littlejohn, | Shier, |
| R. K. Divine, | Lovell, | Stout, |
| Duncan, | Luce, | Sutherland, |
| Du Puy, | McIntyre, | Tiffany, |
| Eddy, | Miller, | Tompkins, |
| Edwards, | Mills, | Ward, |
| Ewell, | D. N. Montague, | Wendell, |
| Fitch, | Moorman, | White, |
| Gilman, | Noble, | Whitmore, |
| Gregory, | Parker, | Wilbur, |
| Hall, | N. Power, | Speaker, |

51

NAYS.

| | | |
|-------------|--------------|-------------|
| Mr. Ashmun, | Mr. Lomison, | Mr. Strang, |
| King, | | |

4

The bill was then ordered to take immediate effect.

A bill to amend section 80 of chapter 16 of the revised statutes of 1846,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Beecher, | Mr. Lapham, | Mr. Ross, |
| Cady, | Littlejohn, | Sanborn, |
| Chamberlin, | Lomison, | Shier, |
| Chapel, | Lovell, | Sutherland, |
| R. K. Divine, | Luce, | Tiffany, |
| Duncan, | McIntyre, | Tompkins, |
| DuPuy, | Miller, | Ward, |
| Eddy, | D. N. Montague, | Wendell, |
| Edwards, | Moorman, | White, |
| Gilman, | Noble, | Whitmore, |
| Gregory, | Parker, | Wilbur, |
| Hurd, | P. Power, | Williams, |
| King, | Ralph, | Speaker, |
| Kirkland, | Reynolds, | |

41

NAYS.

| | | |
|-------------|------------|-----------|
| Mr. Ashmun, | Mr. Ewell, | Mr. Judd, |
| Chatfield, | Hixon, | Strang. |

6

A bill to provide for the transfer of causes from one Circuit Court to another, in certain cases,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Hurd, | Mr. Pettit, |
| Brown, | Ives, | N. Power, |
| Brownell, | Judd, | Ralph, |
| Cady, | King, | Reynolds, |
| Chamberlin, | Kirkland, | Ross, |
| Chapel, | Lapham, | Sanborn, |
| Chatfield, | Littlejohn, | St. Aubin, |
| Church, | Lomison, | Shier, |
| R. K. Divine, | Lovell, | Sutherland, |
| Duncan, | Luce, | Tiffany, |
| DuPuy, | McIntyre, | Tompkins, |
| Eddy, | Mills, | Ward, |
| Edwards, | D. N. Montague, | White, |
| Gregory, | Moorman, | Whitmore, |
| Hall, | Noble, | Williams, |
| Hathaway, | Parker, | Speaker, |
| Hixon, | | |

49

NAYS.

| | | | |
|--------------------------|------------------------|-------------------------|---|
| Mr. J. Divine, Fitch, | Mr. Gilman, Miller, | Mr. Strang, Wendell, | 6 |
|--------------------------|------------------------|-------------------------|---|

A bill relative to the Hilledale and Indiana Plank Road Company,

Was read a third time, and

On motion of Mr. Littlejohn,

Laid on the table.

A bill to establish and lay out a State road from Lower Saginaw to the village of Goodrich,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | | |
|---|--|--|----|
| Mr. Ashmun, Beecher, Brown, Chatfield, J. Divine, R. K. Divine, Duncan, DuPuy, Eddy, Edwards, Fitch, Gregory, Hall, Hathaway, Hixon, Hurd, | Mr. Ives, Judd, Kirkland, Lapham, Littlejohn, Lomison, Lovell, Luce, Middlesworth, Miller, Mills, D. N. Montague, Moorman, Noble, Parker, N. Power, | Mr. Ralph, Reynolds, Sanborn, St. Aubin, Shier, Strang, Sutherland, Tiffany, Tompkins, Ward, Wendell, White, Whitmore, Wilbur, Williams, Speaker, | 40 |
|---|--|--|----|

NAYS.

| | | |
|-------------|------------|---|
| Mr. Chapel, | Mr. Ewell, | 2 |
|-------------|------------|---|

A bill relative to Plank Road Companies,

Was read a third time and passed, by a two-thirds vote, as follows:

YEAS.

| | | |
|---|--|---|
| Mr. Beecher, Brownell, Cady, Chapel, Chatfield, Church, J. Divine, R. K. Divine, Duncan, DuPuy, Eddy, | Mr. Hurd, Ives, Judd, King, Kirkland, Lapham, Littlejohn, Lomison, Lovell, Luce, McIntyre, | Mr. N. Power, Ralph, Roe, Sanborn, St. Aubin, Shier, Strang, Sutherland, Tiffany, Tompkins, Ward, |
|---|--|---|

Edwards,
Ewell,
Gilman,
Gregory,
Hall,
Hathaway,
Hixon,

Miller,
Mills,
D. N. Montague,
Moorman,
Noble,
Parker,
Pettit,

Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

53

NAYS.

Mr. Ashmun,

Mr. Reynolds,

2

The bill was ordered to take effect in 30 days from and after its passage.

A bill to organize the town of Mount Morris, in the county of Genesee,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Brown,
Brownell,
Chamberlin,
Chatfield,
Church,
J. Divine,
R. K. Divine,
DuPuy,
Eddy,
Edwards,
Ewell,
Fitch,
Gilman,
Gregory,
Hall,
Hathaway,
Hixon,

Mr. Hurd,
Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Miller,
Mills,
D. N. Montague,
Moorman,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
St. Aubin,
Shier,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

52

NAYS.

0

The bill was ordered to take immediate effect.

A bill to provide for the incidental expenses of the Legislature,

Was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Brown,
Cady,
Chamberlin,
Chatfield,

Mr. Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,

Mr. N. Power,
Ralph,
Reynolds,
Ross,
St. Aubin,
Shier,

| | | |
|---------------|-----------------|-------------|
| Church, | Lomison, | Smith, |
| J. Divine, | Lovell, | Strang, |
| R. K. Divine, | Luce, | Sutherland, |
| Duncan, | McIntyre, | Tiffany, |
| DuPuy, | Middlesworth, | Tompkins, |
| Eddy, | Miller, | Ward, |
| Edwards, | Mills, | Wendell, |
| Fitch, | D. N. Montague, | White, |
| Gilman, | Noble, | Whitmore, |
| Gregory, | Parker, | Wilbur, |
| Hall, | Parsons, | Williams, |
| Hathaway, | Pettit, | Speaker, |
| Hurd, | | |

55

NAYS.

Mr. Ewell,

Mr. Hixon,

2

The bill was ordered to take immediate effect.

Mr. Littlejohn, with consent, submitted the following report:

The committee on State Affairs, to whom was referred the Senate bill to authorize a conveyance of certain lands to the German members of the Methodist Episcopal Church of Lansing, have had the same under consideration, and have instructed their chairman to report the same back to the House, with amendments, in which the concurrence of the House is requested; the committee recommend the passage of the same, thus amended, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, amendments adopted, and the bill, as amended, read a third time and passed, as follows:

YEAS

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hurd, | Mr. Parker, |
| Brown, | Ives, | Pettit, |
| Brownell, | King, | N. Power, |
| Oady, | Kirkland, | Ralph, |
| Chamberlin, | Lapham, | Reynolds, |
| Chatfield, | Littlejohn, | Ross, |
| Church, | Lomison, | Smith, |
| J. Divine, | Lovell, | Strang, |
| R. K. Divine, | Luce, | Tiffany, |
| Duncan, | McIntyre, | Tompkins, |
| DuPuy, | Middlesworth, | Wendell, |
| Edwards, | Miller, | White, |
| Fitch, | Mills, | Whitmore, |
| Gilman, | D. N. Montague, | Wilbur, |
| Gregory, | Moorman, | Williams, |
| Hall, | Noble, | Speaker, |
| Hixon, | | |

49

NAYS.

Mr. Ashmun,
Eddy,
Ewell,

Mr. Sanborn,
Shier,

Mr. Stout,
Ward,

7

The bill was ordered to take immediate effect.

A bill to incorporate Teacher's Associations,

Was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Brown,
Brownell,
Cady,
Chamberlin,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Edwarda,
Ewell,
Fitch,
Gilman,
Gregory,

Mr. Hall,
Hathaway,
Hurd,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lovell,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
Moorman,

Mr. Pettit,
N. Power,
Ralph,
Reynolds,
Ross,
Sanborn,
Shier,
Smith,
Strang,
Sutherland,
Tompkins,
White,
Whitmore,
Williams,
Speaker,

46

NAYS.

Mr. Chatfield,
Eddy,
Hixon,
Lomison,

Mr. Luce,
Noble,
Tiffany,

Mr. Ward,
Wendell,
Wilbur,

16

The bill was ordered to take immediate effect.

Joint resolution authorizing school district number seven, in the township of Tecumseh, to loan money,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beecher,
Cady,
Chamberlin,
Chatfield,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,

Mr. Judd,
Kirkland,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,

Mr. Reynolds,
Ross,
Sanborn,
St. Aubin,
Shier,
Smith,
Strang,
Sutherland,
Tiffany,
Tompkins,

| | | |
|----------|-----------|-----------|
| Eddy, | Moorman, | Ward, |
| Edwards, | Noble, | Wendell, |
| Fitch, | Parker, | White, |
| Gilman, | Pettit, | Whitmore, |
| Gregory, | N. Power, | Wilbur, |
| Hixon, | P. Power, | Williams, |
| Hurd, | Ralph, | Speaker, |

51

NAYS.

| | | |
|------------|-----------|---|
| Mr. Ewell, | Mr. King, | 2 |
|------------|-----------|---|

The joint resolution was ordered to take immediate effect.

A bill making appropriations for warrants drawn by the State Auditors,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Reynolds, |
| Aahmun, | Ives, | Ross, |
| Brown, | Judd, | Sanborn, |
| Brownell, | King, | St. Aubin, |
| Cady, | Kirkland, | Shier, |
| Chamberlin, | Lapham, | Smith, |
| Chatfield, | Lomison, | Strang, |
| Church, | Lovell, | Sutherland, |
| R. K. Divine, | Luce, | Tompkins, |
| Duncan, | McIntyre, | Ward, |
| DuPuy, | Middlesworth, | Wendell, |
| Eddy, | D. N. Montague, | White, |
| Edwards, | Moorman, | Whitmore, |
| Gilman, | Noble, | Wilbur, |
| Gregory, | Parker, | Williams, |
| Hall, | Pettit, | Speaker, |
| Hathaway, | Ralph, | |

50

NAYS.

| | | | |
|----------------|------------|------------|---|
| Mr. J. Divine, | Mr. Ewell, | Mr. Mills, | 3 |
|----------------|------------|------------|---|

The bill was ordered to take immediate effect.

Joint resolution authorizing the Secretary of State to issue patents for certain parcels of school lands to David Whitney,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------|-------------|
| Mr. Atwood, | Mr. Hurd, | Mr. Pettit, |
| Aahmun, | Ives, | N. Power, |
| Beecher, | Judd, | Ralph, |
| Brown, | King, | Reynolds, |
| Brownell, | Kirkland, | Ross, |
| Cady, | Lapham, | Sanborn, |

Chatfield,
Church,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Gregory,
Hall,
Hathaway,
Hixon,

Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Milla,
D. N. Montague,
Moorman,
Noble,
Parker,

Shier,
Smith,
Sutherland,
Tompkins,
Ward,
Wendell,
White,
Whitmore,
Williams,
Speaker,

50

NAYS.

Mr. Chamberlin, Mr. Ewell, Mr. Gilman, 3

The resolution was ordered to take immediate effect.

Joint resolution instructing the Attorney General to institute legal proceedings in behalf of the State, respecting certain State building lands,

Was read a third time, when

Mr. Church moved to recommit the same to the committee on the Judiciary, with instructions to amend the same by adding thereto the following words:

"*Provided*, Upon examination, the said Attorney General shall deem the title of the State to be valid in law or equity;"

And to report the same back forthwith.

Carried.

Mr. Tiffany forthwith reported as follows:

The committee on the Judiciary, to whom was recommitted House joint resolution No. 10, instructing the Attorney General to institute legal proceedings in behalf of the State, respecting certain State building lands, with instructions to amend them according to certain instructions, and to report the same back forthwith, have instructed me to report that they have thus amended said joint resolutions, and ask to be discharged, &c.

Report accepted, committee discharged, amendment adopted, and the resolution, as amended, passed by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beecher,
Brownell,

Mr. Hathaway,
Hixon,
Hurd,
King,

Mr. Ralph,
Ross,
Sanborn,
St. Aubin,

| | | |
|---------------|---------------|-------------|
| Cady, | Kirkland, | Shier, |
| Chatfield, | Lapham, | Smith, |
| Church, | Littlejohn, | Strang, |
| J. Divine, | Lomison, | Sutherland, |
| R. K. Divine, | Lovell, | Tiffany, |
| Duncan, | McIntyre, | Tompkins, |
| DuPuy, | Middlesworth, | Ward, |
| Eddy, | Mills, | Wendell, |
| Edwards, | Moorman, | White, |
| Ewell, | Noble, | Whitmore, |
| Fitch, | Parker, | Williams, |
| Gilman, | Pettit, | Speaker, |
| Hall, | N. Power, | |

50

NAYS.

0

The resolution was ordered to take immediate effect.

Joint resolution for the relief of Oliver M. Hyde,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Gregory, | Mr. N. Power, |
| Brown, | Hall, | Ralph, |
| Cady, | Ives, | Ross, |
| Chapel, | Kirkland, | Sanborn, |
| Chatfield, | Lapham, | St. Aubin, |
| Church, | Lomison, | Shier, |
| R. K. Divine, | Lovell, | Strang, |
| Duncan, | Middlesworth, | Tiffany, |
| DuPuy, | Miller, | Tompkins, |
| Eddy, | D. N. Montague, | White, |
| Edwards, | Moorman, | Williams, |
| Ewell, | Parker, | Speaker, |
| Fitch, | | |

37

NAYS.

| | | |
|-------------|-----------------|------------|
| Mr. Atwood, | Mr. Littlejohn, | Mr. Smith, |
| J. Divine, | Mills, | Ward, |
| Gilman, | Noble, | Wendell, |
| Hixon, | Pettit, | |

11

The resolution was ordered to take immediate effect.

Joint resolution for the relief of Robert Howlett,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------|-------------|
| Mr. Ashmun, | Mr. Hall, | Mr. Parker, |
| Beecher, | Hathaway, | Pettit, |
| Brown, | Hixon, | N. Power, |
| Brownell, | Hurd, | Ralph, |

| | | |
|---------------|-----------------|------------|
| Cady, | Ives, | Ross, |
| Chamberlin, | King, | Sanborn, |
| Chapel, | Kirkland, | St. Aubin, |
| Chatfield, | Lapham, | Shier, |
| Church, | Littlejohn, | Strang, |
| R. K. Divine, | Loomis, | Tiffany, |
| Duncan, | Lovell, | Tompkins, |
| DuPuy, | McIntyre, | Ward, |
| Eddy, | Middlesworth, | Wendell, |
| Edwards, | Miller, | White, |
| Ewell, | D. N. Montague, | Whitmore, |
| Fitch, | Moorman, | Williams, |
| Gilman, | Noble, | Speaker, |
| | NAYS. | 41 |
| | | 0 |

The resolution was ordered to take immediate effect.

A bill to attach the counties of Isabella and Gladwin to the county of Midland, for judicial and municipal purposes,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Hurd, | Mr. N. Power, |
| Brown, | Ives, | Ralph, |
| Brownell, | Kirkland, | Ross, |
| Chapel, | Lapham, | Sanborn, |
| Church, | Littlejohn, | Shier, |
| R. K. Divine, | Luce, | Strang, |
| Duncan, | McIntyre, | Tiffany, |
| DuPuy, | Middlesworth, | Tompkins, |
| Eddy, | Miller, | Ward, |
| Edwards, | Miller, | Wendell, |
| Ewell, | D. N. Montague, | White, |
| Fitch, | Moorman, | Whitmore, |
| Gilman, | Noble, | Williams, |
| Hall, | Parker, | Speaker, |
| Hixon, | | |
| | | 53 |

NAYS.

0

The bill was ordered to take immediate effect.

A bill to organize the township of North Star, in Gratiot county,

Was read a third time and passed, as follows:

YEAS.

| | | |
|-------------|------------|-------------|
| Mr. Ashmun, | Mr. Hixon, | Mr. Parker, |
| Beecher, | Hurd, | Pettit, |
| Brown, | Ives, | N. Power, |
| Brownell, | King, | Ralph, |
| Cady, | Kirkland, | Ross, |

Chapel,
 Chatfield,
 Church,
 J. Divine,
 R. K. Divine.
 Duncan,
 DuPuy,
 Eddy,
 Edwards,
 Ewell,
 Fitch,
 Gilman,
 Hall,

Lapham,
 Littlejohn,
 Lomison,
 Lovell,
 Luce,
 McIntyre,
 Middlesworth,
 Miller,
 Mills,
 D. N. Montague,
 Moorman,
 Noble,

Sanborn,
 Shier,
 Stout,
 Strang,
 Tiffany,
 Tompkins,
 Ward,
 Wendell,
 White,
 Wilbur,
 Williams,
 Speaker,

52

NAYS.

Mr. Whitmore,

1

The bill was then ordered to take immediate effect.

A bill relating to burying grounds,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
 Beebe,
 Beecher,
 Brown,
 Brownell,
 Cady,
 Chapel,
 Chatfield,
 Church,
 J. Divine,
 R. K. Divine.
 Duncan,
 DuPuy,
 Eddy,
 Edwards,
 Ewell,
 Fitch,

Mr. Gilman,
 Hathaway,
 Ives,
 Judd,
 Kirkland,
 Lapham,
 Littlejohn,
 McIntyre,
 Middlesworth,
 Miller,
 D. N. Montague,
 Moorman,
 Noble,
 Parker,
 Pettit,
 N. Power,

Mr. Ralph,
 Ross,
 St. Aubin,
 Shier,
 Smith,
 Stout,
 Strang,
 Tiffany,
 Tompkins,
 Ward,
 Wendell,
 White,
 Whitmore,
 Wilbur,
 Williams,
 Speaker,

49

NAYS.

Mr. Hixon,
 King,Mr. Lomison,
 Luce,Mr. Mills,
 Sanborn,

6

The bill was ordered to take immediate effect.

A bill to provide for the disposal of the unexpended balance of the
 Grand Rapids Canal Lands,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|-------------|
| Mr. Ashmun, | Mr. Hall, | Mr. Parker, |
| Beebe, | Hurd, | Pettit, |
| Beecher, | Ives, | N. Power, |
| Brown, | King, | Ralph, |
| Church, | Kirkland, | Ross, |
| J. Divine, | Lapham, | Sanborn, |
| R. K. Divine, | Littlejohn, | Tiffany, |
| Duncan, | Leason, | Tompkins, |
| Du Puy, | Lovell, | Wendell, |
| Eddy, | Luce, | White, |
| Edwards, | Middlesworth, | Whitmore, |
| Fitch, | Miller, | Williams, |
| Gilman, | H. Montague, | Speaker, |
| Gregory, | Moorman, | |

41

NAYS.

| | | |
|-------------|-----------------|------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Shier, |
| Chamberlin, | Hixon, | Stout, |
| Chapel, | D. N. Montague, | Smith, |
| Enos, | Reynolds, | Strang, |

12

The bill was ordered to take immediate effect.

On motion,

The House adjourned.

EVENING SESSION.

The House met at 7 o'clock.

Roll called; a quorum present.

With unanimous consent, Mr. Beecher made the following report:

The special committee, to whom was recommitted the bill to re-arrange the Senate Districts in this State, have had the same under consideration, and instructed their chairman to respectfully report the same back to the House, with an amendment, and ask that it do pass.

And your committee do further report, that they have considered (so far as the limited time would permit) the question as to whether the northerly portion of the Lower Peninsula is, by the Constitution, attached to the Upper Peninsula for judicial, Senatorial and Legislative purposes.

Your committee will not, at this time, enter into a minute examination of this constitutional question; but beg leave to remark, that since the adoption of the Constitution, and while it must have been somewhat understood by those who sat in the Convention, this portion of the State has been treated as belonging to the Lower Peninsula, for judicial and Representative purposes. The Legislature of 1853 (act 58,) made provision for holding courts by the Circuit Judges, whose circuits were outside of this territory, and said Judges, in compliance with said statutes, have held courts and determined cases in this territory, thereby giving force and validity to this construction of the Constitution, as adopted by the Legislature.

In fact, the uniform action of the Legislature and Circuit Judges has given to this construction of the Constitution such weight and force as not to be overthrown by implication.

Your committee are constrained, from the before mentioned facts, to regard this construction of the Constitution as the only safe one, and that to leave it at this time, and after several years of practice thereunder, would be, to say the least, of doubtful propriety, and perhaps lead to serious consequences.

Report accepted and committee discharged.

On motion of Mr. McIntyre,

Section 1 was amended by inserting in the 1st line of the 7th subdivision thereof, after the word "of," the words, "the city of Ann Arbor,"

And the bill was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Beebe, | Mr. Hurd, | Mr. N. Power, |
| Beecher, | Ives, | P. Power, |
| Brownell, | Judd, | Ralph, |
| Cady, | Lomison, | Sanborn, |
| Chatfield, | Lovell, | Shier, |
| Church, | Luce, | Smith, |
| R. K. Divine, | McIntyre, | Stout, |
| Duncan, | Middleworth, | Tiffany, |
| DuPuy, | Miller, | Tompkins, |
| Eddy, | Mills, | Ward, |
| Edwards, | D. N. Montague, | Wendell, |
| Enos, | H. Montague, | White, |
| Ewell, | Moorman, | Whitmore, |
| Gilman, | Parker, | Williams, |
| Hall, | Pettit, | |

NAYS.

Mr. Ashmun,
Chamberlin,
Chapel,
J. Divine,

Mr. Fitch,
Hixon,
Littlejohn,
Reynolds,

Mr. St. Aubin,
Strang,
Speaker,

11

A bill to amend section 30 of act No. 156 of session of 1851, and section 86 of act No. 86 of session of 1853, regulating the compensation of Supervisors, in certain cases,

Was read a third time and recommitted to the committee on the Judiciary.

A bill to provide for the organization of the township of Buel, in the county of Sanilac,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Brownell
Cady,
Chapel,
Olatfield,
Olmsted,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Enos,
Ewell,
Fitch,
Gilman,
Hall,
Hixon,

Mr. Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Parker,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Sanborn,
St. Aubin,
Sherman,
Shier,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wendell,
White,
Whitmore,
Williams,
Speaker,

58

NAYS.

0

The bill was ordered to take immediate effect.

A bill to organize the county of Alpena,

Was read a third time and passed, by a two-thirds vote, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown.

Mr. Ives,
King,
Lapham,
Littlejohn,

Mr. Ralph,
Reynolds,
Sanborn,
St. Aubin,

| | | |
|---------------|-----------------|-------------|
| Brownell, | Lomison, | Sherman, |
| Cady, | Luce, | Shier, |
| Chamberlin, | McIntyre, | Smith, |
| Church, | Middlesworth, | Stout, |
| J. Divine, | Miller, | Strang, |
| R. K. Divine, | Mills, | Sutherland, |
| Duncan, | D. N. Montague, | Tiffany, |
| DuPuy, | H. Montague, | Tompkins, |
| Eddy, | Moorman, | Ward, |
| Edwards, | Mussey, | Wendell, |
| Enos, | Parker, | White, |
| Ewell, | Pettit, | Whitmore, |
| Gilman, | N. Power, | Williams, |
| Hixon, | P. Power, | Speaker, |
| Hurd, | | |

56

NAYS.

Mr. Chatfield,

Mr. Lovell,

2

The bill was ordered to take immediate effect.

A bill to authorize the holding of a special election in Cheboygan,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hall, | Mr. P. Power, |
| Ashmun, | Hixon, | Ralph, |
| Brown, | Ives, | St. Aubin, |
| Brownell, | King, | Sherman, |
| Chamberlin, | Lapham, | Smith, |
| Chapel, | Littlejohn, | Stout, |
| Church, | Lomison, | Strang, |
| J. Divine, | Lovell, | Tiffany, |
| R. K. Divine, | Luce, | Tompkins, |
| Duncan, | Middlesworth, | Ward, |
| DuPuy, | Miller, | Wendell, |
| Eddy, | D. N. Montague, | White, |
| Edwards, | H. Montague, | Wilbur, |
| Ewell, | Moorman, | Williams, |
| Gilman, | N. Power, | Speaker, |

45

NAYS.

Mr. Chatfield,
McIntyre.Mr. Mills,
Pettit,Mr. Shier,
Whitmore, 6

The bill was ordered to take immediate effect.

A bill to amend chapter 93 of the revised statutes of 1846, entitled
"of courts held by justices of the peace,"

Was read a third time and passed, as follows:

YEAS

| | | |
|---------------|---------------|---------------|
| Mr. Atwood, | Mr. Gilman, | Mr. N. Power, |
| Aahmun, | Hall, | P. Power, |
| Beebe, | Ives, | Ralph, |
| Beecher, | Judd, | Sanborn, |
| Brown, | Lapham, | Sherman, |
| Brownell, | Littlejohn, | Shier, |
| Cady, | Lomison, | Smith, |
| Chamberlin, | Lovell, | Stout, |
| Chatfield, | Luce, | Strang, |
| Church, | McIntyre, | Sutherland, |
| J. Divine, | Middlesworth, | Tompkins, |
| R. K. Divine, | Miller, | Ward, |
| Duncan, | Mills, | Wendell, |
| DuPuy, | H. Montague, | White, |
| Eddy, | Moorman, | Whitmore, |
| Edwards, | Mussey, | Williams, |
| Enos, | Parker, | Speaker, |
| Fitch, | Pettit, | |

53

NAYS.

| | | |
|-------------|-----------------|----------------|
| Mr. Chapel, | Mr. Hixon, | Mr. St. Aubin, |
| Ewell, | D. N. Montague, | |

A bill making an appropriation to aid the Michigan State Agricultural Society,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|---------------|
| Mr. Aahmun, | Mr. Gregory, | Mr. P. Power, |
| Beebe, | Hall, | Ralph, |
| Beecher, | King, | St. Aubin, |
| Brown, | Lapham, | Shier, |
| Brownell, | Littlejohn, | Stout, |
| Cady, | Lomison, | Sutherland, |
| Chatfield, | Lovell, | Tiffany, |
| Church, | Middlesworth, | Ward, |
| J. Divine, | Miller, | Wendell, |
| Duncan, | D. N. Montague, | White, |
| DuPuy, | H. Montague, | Whitmore, |
| Edwards, | Moorman, | Wilbur, |
| Enos, | Mussey, | Williams, |
| Fitch, | Pettit, | Speaker, |
| Gilman, | N. Power, | |

44

NAYS.

| | | |
|-----------------|------------|--------------|
| Mr. Chamberlin, | Mr. Hixon, | Mr. Sanborn, |
| Chapel, | Ives, | Sherman, |
| R. K. Divite, | Kirkland, | Strang, |

Eddy,
Ewell,

Luce,
Reynolds,

Tompkins,

14.

A bill to re-enact sections 24 and 25 of chapter 90 of the revised statutes, and to repeal section 16 of an act to prohibit the maintaining suits in equity, approved June 28, 1851,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brownell,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,

Mr. Gregory,
Hurd,
King,
Lapham,
Littlejohn,
Luce,
McIntyre,
Middlesworth,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Pettit,
N. Power,

Mr. Ralph,
Sanborn,
St. Aubin,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wendell,
Williams,
Speaker,

41

NAYS.

Mr. Brown,
Cady,
Ewell,

Mr. Gilman,
Hixon,
Lomison,

Mr. Miller,
Wilbur,

8

A bill to change the name of the township of Newaygo,

Was read a third time and passed, as follows:

YEAS.

Mr. Ashmun
Beebe,
Beecher,
Brown,
Brownell,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Edwards,
Enos,
Ewell,

Mr. Hixon,
Hurd,
Ives,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,

Mr. Reynolds,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wendell,
White,
Whitmore,
Wilbur,

Gilman,
Gregory,
Hall,

Pettit,
P. Power,
Ralph,

Williams,
Speaker,

56

NAYS.

Mr. Atwood,

1

A bill to organize certain townships in Ottawa county,

Was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Enos,
Ewell,

Mr. Gregory,
Hall,
Hixon,
Hurd,
Ives,
King,
Kirkland,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
N. Power,

Mr. P. Power,
Ralph,
Reynolds,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wendell,
White,
Whitmore,
Speaker,

54

NAYS.

0

The bill was ordered to take immediate effect.

Joint resolution for the relief of Emery Beals,

Was read a third time and lost, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Beebe,
Beecher,
Brownell,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,

Mr. Ewell,
Fitch,
Hall,
Hurd,
Ives,
King,
Luce,
Middlesworth,
Miller,

Mr. D. N. Montague,
Mussey,
Pettit,
N. Power,
Sanborn,
Tompkins,
Ward,
Wendell,
Williams,

28

NAYS.

Mr. Ashmun,
Brown,

Mr. Littlejohn,
Lomison,

Mr. St. Aubin,
Shier,

Cady,
Chatfield,
Enos,
Gilman,
Gregory,
Hixon,

Lovell,
McIntyre,
H. Montague,
Moorman,
P. Power,
Reynolds,

Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Speaker, 24

On motion of Mr. Hixon,

The last vote was reconsidered, and the joint resolution laid on the table.

A bill to amend sections 19 and 22 of chapter 172 of the revised statutes of 1846,

Was read a third time, when,

On motion of Mr. Beecher,

The bill was re-committed to the committee on the State Prison, with instructions to add \$100 to the salary of the Chaplain, and report forthwith.

Mr. Mills forthwith reported as follows:

The committee on the State Prison, to whom was referred a bill to amend sections 19 and 22 of chapter 172 of the revised statutes, with instructions to amend so as to increase the salary of the Chaplain of the Prison to five hundred dollars per annum, have obeyed the instructions, and report the same back to the House.

Report accepted, committee discharged, amendment adopted, and the bill was passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Church,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,

Mr. Gilman,
Gregory,
Hall,
Hurd,
Ives,
Judd,
Lapham,
Littlejohn,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,

Mr. H. Montague,
Moorman,
Mussey,
N. Power,
P. Power,
Sherman,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wendell,
Whitmore,
Williams,
Speaker,

NAYS.

| | | | |
|--|--|---|----|
| Mr. Chamberlin, Chapel, Chatfield, J. Divine, | Mr. Hixon, Kirkland, Lomison, Reynolds, | Mr. Sanborn, St. Aubin, Smith, Strang, | 12 |
|--|--|---|----|

The bill was ordered to take immediate effect.

A bill relative to public instruction,

Was read a third time, and a majority of all the members elect not having voted for the bill, the same was lost, by the following vote:

YEAS.

| | | | |
|---|--|---|----|
| Mr. Atwood, Beecher, Brownell, Church, DuPuy, Gregory, Hall, Hurd, Ives, Judd, | Mr. King, Kirkland, Lapham, McIntyre, Miller, D. N. Montague, Moorman, Munsey, Parker, | Mr. Pettit, N. Power, P. Power, Ralph, Wendell, White, Whitmore, Williams, Speaker, | 28 |
|---|--|---|----|

NAYS.

| | | | |
|---|---|--|----|
| Mr. Brown, Chamberlin, Chapel, Chatfield, J. Divine, Duncan, Eddy, Enos, | Mr. Ewell, Fitch, Gilman, Hixon, Littlejohn, Luce, Middlesworth, Reynolds, | Mr. Sanborn, St. Aubin, Sutherland, Tiffany, Tompkins, Ward, Wilbur, | 23 |
|---|---|--|----|

A bill to assess certain taxes for the benefit of a State Road from Ohio, north, to the north line of the village of Hudson,

Was read a third time, and

On motion of Mr. Littlejohn,

Indefinitely postponed.

A bill to incorporate the city of Flint,

Was read a third time and passed, as follows:

YEAS.

| | | |
|---|---|---|
| Mr. Atwood, Ashmun, Beebe, Brownell, Chamberlin, Chapel, | Mr. King, Lapham, Littlejohn, Lomison, Lovell, Luce, | Mr. P. Power, Ralph, Reynolds, Ross, Sanborn, Shier, |
|---|---|---|

| | | |
|---------------|-----------------|-------------|
| R. K. Divine, | McIntyre, | Smith, |
| Duncan, | Middleworth, | Stout, |
| DuPuy, | Miller, | Sutherland, |
| Eddy, | D. N. Montague, | Tiffany, |
| Edwards, | Moorman, | Tompkins, |
| Fitch, | Mussey, | Wendell, |
| Gilman, | Parker, | White, |
| Gregory, | Pettit, | Whitmore, |
| Hurd, | N. Power, | Williams, |
| Judd, | | |

46

NAYS.

| | | |
|-------------|------------|-------------|
| Mr. Church, | Mr. Ewell, | Mr. Strang, |
| Enos, | | |

4

The bill was ordered to take immediate effect.

A bill to incorporate the village of Three Rivers,

Was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. King, | Mr. P. Power, |
| Ashmun, | Kirkland, | Ralph, |
| Beebe, | Lapham, | Shier, |
| Brownell, | Littlejohn, | Smith, |
| Chamberlin, | Lomison, | Stout, |
| Church, | Lovell, | Strang, |
| J. Divine, | Luce, | Sutherland, |
| R. K. Divine, | McIntyre, | Tiffany, |
| Duncan, | Middleworth, | Tompkins, |
| DuPuy, | Miller, | Wendell, |
| Enos, | D. N. Montague, | White, |
| Fitch, | Moorman, | Whitmore, |
| Gregory, | Mussey, | Wilbur, |
| Hurd, | Parker, | Williams, |
| Ives, | N. Power, | Speaker, |
| Judd, | | |

46

NAYS.

Mr. Ewell,

1

The bill was ordered to take immediate effect.

A bill to incorporate the village of Stargia,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------|-------------|
| Mr. Atwood, | Mr. Hurd, | Mr. Pettit, |
| Ashmun, | Ives, | N. Power, |
| Beebe, | Judd, | P. Power, |
| Beecher, | King, | Ralph, |
| Brownell, | Kirkland, | Sanborn, |

| | | |
|---------------|-----------------|-------------|
| Cady, | Lapham, | St. Aubin, |
| Chamberlin, | Littlejohn, | Shier, |
| Chapel, | Lomison, | Stout, |
| Church, | Lovell, | Sutherland, |
| J. Divine, | Luce, | Tiffany, |
| R. K. Divine, | McIntyre, | Tompkins, |
| Duncan, | Middlesworth, | Wendell, |
| DuPuy, | Miller, | White, |
| Eddy, | D. N. Montague, | Whitmore, |
| Enos, | Moorman, | Wilbur, |
| Ewell, | Mussey, | Williams, |
| Fitch, | Parker, | Speaker, |
| Gregory, | | |

52

NAYS.

Mr. Smith, Mr. Strang, 2

The bill was ordered to take immediate effect.

A bill to annex certain territory to the town of Essex, in Clinton county,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Ives, | Mr. N. Power, |
| Aahmun, | Judd, | P. Power, |
| Beebe, | King, | Ralph, |
| Beecher, | Kirkland, | Reynolds, |
| Brownell, | Lapham, | Sanborn, |
| Cady, | Littlejohn, | St. Aubin, |
| Chamberlin, | Lomison, | Shier, |
| Church, | Lovell, | Smith, |
| J. Divine, | Luce, | Stout, |
| R. K. Divine, | McIntyre, | Strang, |
| Duncan, | Middlesworth, | Sutherland, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | Mills, | Tompkins, |
| Edwards, | D. N. Montague, | Wendell, |
| Enos, | H. Montague, | White, |
| Ewell, | Moorman, | Whitmore, |
| Gregory, | Mussey, | Wilbur, |
| Hixon, | Parker, | Williams, |
| Hurd, | Pettit, | Speaker, |

57

NAYS.

0

The bill was ordered to take immediate effect.

A bill to repeal an act to incorporate the village of Mt. Clemens, approved April 4, 1851,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hurd, | Mr. N. Power, |
| Ashmun, | Ives, | P. Power, |
| Beebe, | Judd, | Ralph, |
| Brownell, | King, | Reynolds, |
| Cady, | Kirkland, | Sanborn, |
| Chapel, | Lapham, | St. Aubin, |
| Church, | Littlejohn, | Sherman, |
| J. Divine, | Lomison, | Shier, |
| R. K. Divine, | Lovell, | Stout, |
| Duncan, | Luca, | Sutherland, |
| DuPuy, | McIntyre, | Tiffany, |
| Eddy, | Miller, | Tompkins, |
| Enos, | Mills, | Wendell, |
| Ewell, | D. N. Montague, | White, |
| Gilman, | Moorman, | Whitmore, |
| Gregory, | Mussey, | Wilbur, |
| Hall, | Parker, | Williams, |
| Hixon, | Pettit, | Speaker, 54 |

NAYS.

Mr. Middlesworth, Mr. Smith, Mr. Strang, 3

A bill to amend section 57 of chapter 90 of the revised statutes of 1846,

Was read a third time, and the question being on its passage,

Mr. Church moved to recommit the bill to the committee on the Judiciary, with instructions to amend the same by adding the following words thereto:

"And the Supreme Court of this State shall have power to remand for a new hearing in the Circuit Court in Chancery, from which they respectively may have been appealed, or may hereafter be appealed, any cause in Chancery heretofore or hereafter appealed to said Supreme Court, upon sufficient cause duly shown;

And to report the same back forthwith.

Carried.

Mr. Tiffany reported as follows:

The committee on the Judiciary, to whom was recommitted Senate bill to amend section 57 of chapter 90 of the revised statutes of 1846, relative to the trial by jury of causes in Chancery, with certain instructions, have instructed me to report that they have amended the said bill according to the said instructions, and ask to be discharged, &c.

Report accepted, committee discharged, amendment adopted, and the bill, as amended, passed as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Moorman, |
| Ashmun, | Hall, | Mussey, |
| Beebe, | Hixon, | Parker, |
| Brown, | Hurd, | Pettit, |
| Brownell, | Ives, | N. Power, |
| Cady, | Judd, | P. Power, |
| Chamberlin, | King, | Ralph, |
| Chapel, | Kirkland, | Sanborn, |
| Church, | Lapham, | Shier, |
| J. Divine, | Littlejohn, | Smith, |
| R. K. Divine, | Lomison, | Sutherland, |
| Duncan, | Lovell, | Tiffany, |
| DuPuy, | Luce, | Tompkins, |
| Eddy, | McIntyre, | White, |
| Edwards, | Middlesworth, | Whitmore, |
| Enos, | Miller, | Wilbur, |
| Ewell, | Mills, | Williams, |
| Fitch, | D. N. Montague, | Speaker, |
| Gilman, | | |

55

NAYS.

0

A bill to revive and re-enact section 18 of chapter 94 of the revised statutes of 1846,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Pettit, |
| Beebe, | Hurd, | N. Power, |
| Brown, | Ives, | P. Power, |
| Brownell, | King, | Ralph, |
| Chamberlin, | Kirkland, | Reynolds, |
| Chapel, | Lapham, | Sanborn, |
| Church, | Littlejohn, | St. Aubin, |
| J. Divine, | Lomison, | Sherman, |
| R. K. Divine, | Lovell, | Shier, |
| Duncan, | Luce, | Smith, |
| DuPuy, | Middlesworth, | Stout, |
| Eddy, | Miller, | Sutherland, |
| Ewell, | Mills, | Tiffany, |
| Fitch, | D. N. Montague, | Tompkins, |
| Gilman, | Moorman, | Wilbur, |
| Gregory, | Mussey, | Williams, |
| Hall, | Parker, | Speaker, |

51

NAYS.

| | |
|-----------|------------|
| Mr. Judd, | Mr. White, |
|-----------|------------|

2

A bill to provide for the sale of certain land in the village of Jackson, belonging to the State,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Ives, | Mr. Pettit, |
| Beebe, | Judd, | P. Power, |
| Beecher, | King, | Ralph, |
| Brown, | Kirkland, | Reynolds, |
| Brownell, | Lapham, | Sanborn, |
| Cady, | Littlejohn, | St. Aubin, |
| Chamberlin, | Lomison, | Sherman, |
| Chapel, | Lovell, | Shier, |
| J. Divine, | Luce, | Smith, |
| R. K. Divine, | McIntyre, | Stout, |
| Duncan, | Middlesworth, | Sutherland, |
| DuPuy, | Miller, | Tiffany, |
| Eddy, | Mills, | Tompkins, |
| Edwards, | D. N. Montague, | Wendell, |
| Ewell, | H. Montague, | White, |
| Fitch, | Moorman, | Whitmore, |
| Gilman, | Mussey, | Williams, |
| Gregory, | Parker, | Speaker, |
| Hall, | | |

55

NAYS.

0

The bill was then ordered to take immediate effect.

Joint resolution in relation to the railway track of the Chippewa Portage Company,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Gregory, | Mr. Parker, |
| Beebe, | Hall, | Pettit, |
| Beecher, | Hurd, | N. Power, |
| Brown, | Ives, | P. Power, |
| Brownell, | Kirkland, | Ralph, |
| Cady, | Lapham, | Reynolds, |
| Chamberlin, | Littlejohn, | Sanborn, |
| Chapel, | Lomison, | St. Aubin, |
| J. Divine, | Lovell, | Sherman, |
| Duncan, | Luce, | Smith, |
| DuPuy, | McIntyre, | Sutherland, |
| Eddy, | Middlesworth, | Tiffany, |
| Edwards, | Miller, | Tompkins, |
| Ewell, | Mills, | Wendell, |
| Fitch, | D. N. Montague, | White, |
| Gilman, | Moorman, | Speaker, |

48

NAYS.

Mr. Judd,
King,

Mr. H. Montague,
Shier,

Mr. Stout,

5

The joint resolution was ordered to take immediate effect.

With unanimous consent,

Mr. White submitted the following report:

The committee on Towns and Counties, to whom was referred a Senate bill to provide for the inspection of lumber, beg leave to report that your committee have had the same under consideration, and I am instructed to report the same back to the House, with amendments, and ask the concurrence of the House therein, and that your committee be discharged, &c.

Report accepted, committee discharged, amendments adopted, and the bill, as amended, passed by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,

Mr. Gilman,
Gregory,
Hall,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Parker,
Pettit,

Mr. N. Power,
P. Power,
Ralph,
Reynolds,
Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Sutherland,
Tompkins,
Wendell,
White,
Whitmore,
Williams,
Speaker,

49

NAYS.

Mr. Middlesworth,

Mr. Miller,

2

Mr. White also submitted the following:

The committee on Towns and Counties, to whom was referred several Senate bills, beg leave to report that your committee have had the same under consideration, and instructed me, as their chairman, to report the same back to the House, without amendment, and ask to be discharged.

Report accepted, and the committee discharged.

A bill to organize the township of Allison, in Lapeer county,
Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Judd, | Mr. Pettit, |
| Beebe, | King, | N. Power, |
| Cady, | Kirkland, | P. Power, |
| Chapel, | Lapham, | Ralph, |
| Church, | Littlejohn, | Reynolds, |
| R. K. Divine, | Lomison, | Sanborn, |
| Duncan, | Lovell, | St. Aubin, |
| DuPuy, | Luce, | Shier, |
| Eddy, | McIntyre, | Stout, |
| Edwards, | Middlesworth, | Sutherland, |
| Enos, | Miller, | Tiffany, |
| Ewell, | D. N. Montague, | Tompkins, |
| Gilman, | H. Montague, | Wendell, |
| Gregory, | Moorman, | White, |
| Hall, | Mussey, | Williams, |
| Hurd, | Parker, | Speaker, |
| Ives, | | |

46

NAYS.

0

The bill was ordered to take immediate effect.

A bill to organize the township of Arcadia, in the county of Gratiot,
Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Ives, | Mr. N. Power, |
| Beebe, | Judd, | P. Power, |
| Beecher, | King, | Ralph, |
| Brown, | Kirkland, | Reynolds, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Lomison, | St. Aubin, |
| Chapel, | Lovell, | Shier, |
| Church, | Luce, | Stout, |
| J. Divine, | McIntyre, | Sutherland, |
| Duncan, | Middlesworth, | Tiffany, |
| Eddy, | Miller, | Ward, |
| Enos, | Mills, | Wendell, |
| Ewell, | D. N. Montague, | White, |
| Gilman, | Moormaa, | Willbur, |
| Gregory, | Mussey, | Williams, |
| Hall, | Parker, | Speaker, |
| Hurd, | Pettit, | |

50

NAYS.

| | | | |
|-------------------|------------|------------|---|
| Mr. R. K. Divine, | Mr. DuPuy, | Mr. Fitch, | 3 |
|-------------------|------------|------------|---|

The bill was ordered to take immediate effect.

A bill to organize the town of Millington, in the county of Tuscola,

Was read a third time and passed, by yeas and nays, as follows :

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Ives, | Mr. P. Power, |
| Beebe, | Judd, | Ralph, |
| Beecher, | King, | Reynolds, |
| Brown, | Kirkland, | Sanborn, |
| Brownell, | Lapham, | St. Aubin, |
| Cady, | Lomison, | Shier, |
| Chamberlin, | Lovell, | Smith, |
| R. K. Divine, | Luce, | Stout, |
| Duncan, | McIntyre, | Strang, |
| DuPuy, | Middlesworth, | Sutherland, |
| Eddy, | Mills, | Tiffany, |
| Edwards, | D. N. Montague, | Tompkins, |
| Enos, | H. Montague, | Wendell, |
| Ewell, | Moorman, | White, |
| Gilman, | Mussey, | Whitmore, |
| Gregory, | Parker, | Williams, |
| Hall, | Pettit, | Speaker, |
| Hurd, | N. Power, | |

53

NAYS.

0

The bill was ordered to take immediate effect.

A bill to define the boundary line between Lapeer and Tuscola counties,

Was read a third time and passed, by yeas and nays, as follows :

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. King, | Mr. N. Power, |
| Beebe, | Kirkland, | P. Power, |
| Beecher, | Lapham, | Ralph, |
| Brown, | Littlejohn, | Reynolds, |
| Brownell, | Lomison, | Sanborn, |
| Cady, | Lovell, | St. Aubin, |
| R. K. Divine, | Luce, | Shier, |
| Duncan, | McIntyre, | Smith, |
| DuPuy, | Middlesworth, | Stout, |
| Eddy, | Miller, | Sutherland, |
| Enos, | Mills, | Tiffany, |
| Ewell, | D. N. Montague, | Tompkins, |
| Gilman, | H. Montague, | Wendell, |
| Gregory, | Moorman, | White, |
| Hall, | Mussey, | Whitmore, |
| Hurd, | Parker, | Williams, |
| Judd, | Pettit, | Speaker, |

51

NAYS.

0

The bill was ordered to take immediate effect.

With the unanimous consent of the House, the Speaker announced the following:

MESSAGE FROM THE OTHER HOUSE.

SENATE CHAMBER,
Lansing, February 9, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives,

1. House bill 84, being,

A bill for the maintenance and regulation of a bridge at Ives' dock, in the town of Springwells.

2. House bill 53, being,

A bill to amend an act entitled an act for the relief of James Waters, approved February 5, 1853.

3. House bill 43, being,

A bill to amend sections 14 and 15 of an act entitled an act to define the powers and duties of the Boards of Supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851.

In all of which the Senate have concurred by a majority vote of all the Senators elect, and by a vote of two-thirds, ordered the same to take immediate effect.

I also transmit,

4. Senate bill 40, being,

A bill to repeal chapter twenty-five of the revised statutes of 1846; also act 88, entitled "an act to amend chapter twenty-five of the revised statutes of 1846, relative to laying out, altering and discontinuing highways," approved March 18, 1848; also act number 72, entitled "an act to amend chapter 25 of the revised statutes of 1846," approved March 15th, 1848, and to provide for the laying out, altering and discontinuing highways, and assessing damages thereon.

5. Senate bill 54, being,

A bill to authorize the business of banking.

6. A bill to authorize the formation of corporations for building and leasing houses and other tenements.

7. A bill to organize the town of Coe, in the county of Isabella.

8. Senate bill 38, being,

A bill to amend sections 3, 9, 13, 25 and 26 of chapter 123 of the revised statutes of 1846, relative to proceedings to recover the possession of land in certain cases, and to amend and repeal certain acts amendatory thereto.

Which the Senate have passed by a vote of a majority of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

The several House bills were ordered enrolled, and the Senate bills read twice and appropriately referred.

• On motion,

The House adjourned.

Lansing, Saturday, February 10, 1855.

House called to order at 9 o'clock.

Prayer by Rev. Mr. ———

Roll called; a quorum present.

Absent, Messrs. Barclay, Chapel, Chatfield, Duncan, Hathaway, Sherman, Strang, Wendell, Wilbur.

Leave of absence granted to Mr. Hathaway, on account of sickness.

Mr. St. Aubin presented a remonstrance of Wm. Paton and 40 others, citizens of Detroit; of Geo. Tallmadge and 166 others; of Clements Lafayette and 47 others; of Nelson Knapp and 75 others, against enlargement of the boundaries of the city of Detroit.

Which was laid on the table.

Mr. McIntyre, from the committee on Education, made the following report:

The committee on Education, to whom was referred the bill passed by the Senate, making appropriations for the State Normal School, have, according to order, had the same under consideration, and instructed me as their chairman to report the same, with the memorial of the Board of Education, which was also referred to your committee, to recommend

the passage of the bill, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. McIntyre, from the committee on Banks and Incorporations, made the following report:

The committee on Banks and Incorporations, to whom was referred the manuscript bill passed by the Senate, to amend an act to incorporate the Plymouth and Dearborn Plank Road Company, approved March 20, 1850, have, according to order had the same under consideration, and instructed me to report the same to the House without amendment, recommend its passage, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr McIntyre, from the committee on Banks and Incorporations, made the following report:

The committee on Banks and Incorporations, to whom was referred, A bill to provide for the construction of train railways,

Have, according to order, had the same under consideration, and instructed me to report the same to the House without amendment and without recommendation, and ask to be discharged from the further consideration of the subject.

Committee discharged, and the bill ordered to a third reading.

Mr. Wendell, from select committee on certain roads, made the following report:

The select committee to whom was referred the several bills for the construction of roads from the Lower to the Upper Peninsula, have requested me to report that they have had the same under consideration, and find that the committees on Roads and Bridges and State Affairs have both recommended the central route. Your committee, therefore, after due investigation of the whole matter, unanimously concur with the previous committees, and recommend the central route, and hope the bill will pass.

The committee likewise report back the Senate bill for laying out a road from Grand Rapids to Grand Traverse, and recommend its passage.

Also the following, from the committee to whom was referred several bills for the construction of roads from the centre of the State to the Straits of Michilimackinac:

The committee beg leave to say that they have given to the subject so submitted as full a consideration as the limited time allowed them would permit, and that they are of the unanimous opinion that a road on the route indicated in the accompanying bill is greatly needed in that section of the State, and should, with as little delay as possible, be opened. The following are few of the many reasons which lead your committee to this conclusion:

1st. It would open a thoroughfare and means of communication through an immense tract of excellent land, as well fitted for agricultural and manufacturing purposes as any other section of the State, which is now almost inaccessible, and by that means develop its resources and induce emigration to set in, both from the north and south, but especially from the north, by means of steam craft, which pass the rich borders of our State almost daily, for six months in the year; and owing only to the want of roads into that rich portion of the State, thousands of emigrants are transported three or four hundred miles westward, at a greater expense, and leaving those rich but uncultivated wastes of Upper Michigan, with far greater advantages, if avenues were but opened.

2d. This system we particularly recommend on account of its many and particular advantages over all other roads, in benefitting all the inhabitants of the State generally, it being proposed to lay out this route directly through the centre of the Lower Peninsula, with branches to the present principal settlements. Having these central advantages, as settlements increase on either side of the Peninsula, they can tap into this main trunk route, both from the east and the west, with but little trouble and expense, and which probably will be done entirely at the expense of the inhabitants, as fast as they may be required.

3d. The important necessity of keeping up an overland communication in case of an outbreak and war with Great Britain, otherwise our entire north western frontier would be exposed and in a defenceless state.

4th. This entire route, running along and through some eighteen or twenty counties, would very much increase the value of and throw

millions of acres of land into market, and give facilities to the inhabitants to get to the Ionia and Cheboygan U. S. Land Offices, and likewise the State Land Office.

We therefore earnestly urge this measure, for we consider it the most direct means to induce emigration, and to swell the tide of its population, and by so doing advance the permanent prosperity and rapid increase of that portion of the State.

Report accepted, and committee discharged. Bills ordered to a third reading.

Mr. Beecher presented the following:

The committee of Ways and Means, to whom was referred,

Joint resolution relative to claims of S. B. Sharp and D. H. Jackson, for the destruction of wolves in the Upper Peninsula,

Have had the same under consideration, and instructed their chairman to respectfully report that your committee are satisfied from evidence by affidavit, that the said Sharp and Jackson have destroyed certain wolves, and that your committee make no recommendation in reference thereto, and that your committee may be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the joint resolution ordered to a third reading.

The committee on Public Lands reported through their chairman the following Senate joint resolutions, viz:

Joint resolution relative to a new certificate for Primary School Lands to John McDonald.

Joint resolution relative to a new certificate for certain Primary School Lands to Jesse R. Treadwell.

Joint resolution authorizing the Commissioner of the State Land Office to issue a new certificate of certain Primary School Lands to Hiram Reynolds, and recommend that they pass, and ask to be discharged from the further consideration thereof.

Which was accepted, and the committee discharged, and the joint resolutions ordered to a third reading.

Mr. White submitted the following:

The committee on Towns and Counties, to whom was referred a Senate bill to organize the town of Coe, in the county of Isabella, beg leave to report that your committee have had the same under consideration,

and have instructed me as their chairman to report the same back to the House, and recommend that it do pass, and ask that your committee be discharged, &c.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. Sanborn submitted the following report, which was read and laid on the table:

The committee on Public Lands, to whom was referred Senate bill entitled,

A bill to confirm certain sales of land,

Have had the same under consideration, and respectfully report:

The bill confirms the sale of $3\frac{1}{2}$ sections of land in the Upper Peninsula, sold in 1851 and 1852.

The design is to cure an alleged irregularity. The sales were made under the "revised statutes," which provide for the sale of *all* the public lands; but a statute of 1846 provided for a reservation from sale of lands known to contain mines and minerals. This was supposed to have been repealed by the "revised statutes," as repugnant to them. Hence an irregularity, if that statute of 1846 was not repealed.

In regard to one of the sections, there is a controversy between the National Mining Company, under the State patent, and the Minnesota Mining Company, under a United States patent, as to about one hundred acres. But the bill provides that the confirmation is not to impair the title in controversy under the United States patent. That suit goes on upon both patents to final adjudication.

Whatever may be said of the propriety of the original sale, the purchasers bought in good faith, at \$4 per acre, have paid the money, and patents have been issued.

The National Mining Company are not original, but second and innocent purchasers, relying on the State patent.

They took special pains, before buying, by applying to the State Land Commissioner, to know that the sale and the State patent were regular. The company, by their agent, James M. Cooper, wrote expressly to the Commissioner, and he replied, in explicit terms, that the sale was regular—that it was made under the "revised statutes," in the usual manner of sales of public lands.

That although the statutes required no notice, the usual notice of sale, according to the practice of the office, was published for four weeks; and that no objection had been filed in the office against the regularity of the sale. The original of said letter was presented to the committee, and they annex hereto a copy of the same.

The National Mining Company, as second purchasers, paid \$10,000 for the land in question, and since their purchase have expended \$120,000 on the same, without as yet paying any dividend, and their success is still problematical.

The second section of the bill protects the State against any claim for damages that might arise from the confirmation, in case of the failure of title on the part of the State.

The committee regard this bill as doing but simple justice to the purchasers, by curing the supposed irregularity of sale; and they therefore report the same back without amendment, with the recommendation that it do pass.

JAS. N. SANBORN,
Chairman.

(Copy.)

Lansing, May 24, 1852.

JAMES M. COOPER, Esq.:

Dear Sir—Your favor of the 21st inst. is received. In compliance with your request, I herewith enclose a copy of the original certificate of section 16, township 50 north, of range 39 west, to Alfred Williams, a copy of the notice of time and place of sale, and a copy of the patent to said Williams.

In relation to the sale of the aforesaid section, I refer you to the law governing this department in the original sale of school lands, section 11, chapter 59, and section 1, chapter 60, revised statutes. The first gives to the Commissioner general supervision of *all* lands belonging to the State, with power to sell, as directed by law. The second fixes the minimum price at \$4 per acre, and provides that no such lands shall be otherwise sold until they have once been offered for sale at public auction; but the statute does not provide for any notice of the sale of school lands, when originally offered, but it has been the practice of this office, in all cases, to advertise lands at least four weeks—and a notice,

of which the enclosed is a true copy, was published four weeks in the Lansing Journal, prior to the sale.

I know of no defect in the sale to Mr. Williams, but on the contrary have the fullest confidence in the regularity of all the proceedings in said matter.

No objections have been filed in this office to the validity of the title as between the State of Michigan and said Williams.

The copy of the patent and certificate enclosed, I obtained from the Secretary of State, for which he charges \$1.50.

I am, very respectfully, your obedient servant,

PORTER KIBBEE,

Commissioner.

Mr. McIntyre, from the committee on Education, presented the memorial of the Board of Education, relating to the State Normal School. Which was ordered printed.

Mr. McIntyre presented the following:

The committee on Banks and Incorporations, to whom was referred the bill passed by the Senate, to authorize the business of banking, have, according to order, had the same under consideration, and instructed me as their chairman to report the same to the House with sundry amendments, in which the concurrence of the House is respectfully requested, and your committee ask to be discharged from the further consideration of the subject.

Which was accepted, the committee discharged, and the amendments of the committee were concurred in, in gross.

Mr. Littlejohn offered the following, to stand as a new section:

"Sec. —. Every corporation organized under this act, shall, at the time of its first issue, have, and keep on hand at all times, for the redemption of its circulating notes, an amount equal to fifteen per cent of its first issue for circulation, in current coin, and shall at all times thereafter, have and keep on hand in coin, for such redemption, an amount equal to fifteen per cent. upon its increased circulation; and the neglect to keep such coin for redemption, in such relative proportion to its actual circulating notes, by any such corporation, for a period of thirty consecutive days, shall be deemed a misdemeanor on the part of the directors of said corporation, punishable by imprisonment in the State Prison for a term not exceeding five years."

Which was adopted, Mr. Littlejohn calling for the yeas and nays, as follows:

YEAS.

| | | |
|---------------|--------------|-------------|
| Mr. Atwood, | Mr. Gregory, | Mr. Ralph, |
| Ashmun, | Hall, | Reynolds, |
| Brownell, | Hixon, | Ross, |
| Cady, | Judd, | St. Aubin, |
| Chamberlin, | Kirkland, | Sherman, |
| Chapel, | Littlejohn, | Smith, |
| R. K. Divine, | Lomison, | Sutherland, |
| Duncan, | Noble, | Tompkins, |
| Edwards, | Parsons, | Wendell, |
| Encs, | Pettit, | Whitmore, |
| Ewell, | P. Power, | |

32

NAYS.

| | | |
|------------|-----------------|--------------|
| Mr. Beebe, | Mr. Luce, | Mr. Sanborn, |
| Beecher, | McIntyre, | Shier, |
| Brown, | Middlesworth, | Stout, |
| Church, | Miller, | Strang, |
| DuPuy, | Mills, | Tiffany, |
| Eddy, | D. N. Montague, | Ward, |
| Gilman, | H. Montague, | Wells, |
| Hurd, | Moorman, | White, |
| Ives, | Musey, | Williams, |
| Lapham, | N. Power, | Speaker, |
| Lovell, | | |

31

Mr. Sherman moved to strike out all after the enacting clause, and substitute this bill for the original:

SAFETY FUND.

DIRECTOR'S PRIVATE PROPERTY BOLDER.

THREE. **3****3** THREE.

THE CALHOUN COUNTY BANK,

Will pay *THREE DOLLARS* to or bearer.

MARSHALL, MICH.

....., *Cashier.* , *President.*

Which substitute was lost.

The bill was ordered to a third reading.

The select committee to whom was referred all the bills relating to swamp lands, substitute the following:

The select committee to whom were referred sundry bills relating to the swamp lands belonging to this State, beg leave to report that they have had the same under consideration. The committee are sensible of the difficulties which surround the question of the application of these lands, and the diversity of opinion which prevails. Despairing of being able, at this late period of the session, to reconcile all the different interests which are looking to this source for aid, or to mature any measure which shall secure the general support of the members of the House, for the application of the proceeds of these lands, the committee have thought it best to confine themselves merely to the subject of regulating the sales thereof, in such manner as to protect both the State and the purchaser, and to get the money into the Treasury. They therefore report, as a substitute for all the bills referred to them, a bill entitled "an act regulating the sales of the swamp lands, and to confirm certain sales of the same."

The bill, as will be seen, contains the main provisions of bill No. 59 of this House. The only material variations are, that the bill of your committee omits the three last conditions of sale contained in bill 59, and provides in lieu thereof that ten per cent. of the whole purchase price, to be called "the swamp land fund," shall be applied to the reclaiming of the swamp lands, as required by the act of Congress of 28th Sept., 1850, to be kept in the Treasury, as a separate fund, and to be applied as the Legislature shall see fit; and reduces the minimum price from \$1.50 to \$1.25 per acre. It also requires one-half instead of one-quarter of the purchase price to be paid down at the time of the sale, and gives the purchaser the option when to pay the balance, provided he pays the interest.

The bill also confirms the sales heretofore made of these swamp lands—a provision which seems to be rendered necessary, by the great danger of doing injustice to innocent purchasers, and those claiming under them.

The House cannot fail to be impressed with the necessity of adopting some measure for the protection of this liberal donation from the Congress of the United States. The urgency of this necessity becomes manifest, when we observe the loose and imperfect state of the statutes on the subject, and the evils which have flowed from that source during the last year. If the Legislature are not now able to agree upon a dis-

position of the proceeds, they surely feel it to be a duty to the people to adopt some measure of precaution and protection tending to prevent the recurrence of those evils. The committee therefore respectfully but earnestly recommend the passage of the accompanying bill. All which is respectfully submitted.

D. MUSSEY,

Chairman.

Mr. Church moved to lay the substitute reported by the committee, on the table.

Which motion was lost.

The question then recurring on the adoption of the substitute reported by the select committee, it was adopted, by yeas and nays, as follows:

YEAS.

Mr. Beebe,
Beecher,
Brown,
Brownell,
Cady,
DuPuy,
Edwards,
Enos,
Ewell,
Gregory,
Hall,
Hurd,

Mr. Ives,
Judd,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
H. Montague,
Moorman,
Mussey,

Mr. Parker,
Parsons,
N. Power,
P. Power,
Shier,
Stout,
Ward,
Wells,
Whitmore,
Wilbur,
Williams,

35

NAYS.

Mr. Atwood,
Ashmun,
Chamberlin,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
Eddy,
Fitch,
Hixon,

Mr. King,
Kirkland,
Lapham,
Littlejohn,
D. N. Montague,
Noble,
Pettit,
Ralph,
Reynolds,
Ross,
Sanborn,

Mr. St. Aubin,
Sherman,
Smith,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wendell,
White,
Speaker,

32

Mr. Sherman moved to reconsider, with instructions to amend by striking out "\$1.50," and inserting "\$2.00."

Pending which,

Mr. Church offered the following: to amend the instructions proposed by Mr. Sherman, by a further instruction to report as a substitute the bill he had previously proposed as a substitute.

Which was lost.

The motion to recommit was lost.

Mr. Sanborn offered the following: strike out "one dollar and twenty-five cents," and insert "seventy-five cents."

Lost.

The bill was then ordered to a third reading.

Mr. Littlejohn, by unanimous consent, introduced the following:

The committee on State Affairs, to whom was referred Senate bill to authorize the formation of corporations for building and leasing houses and other tenements, have had the same under consideration, and have instructed their chairman to report the same back to the House, without amendment, recommending its passage, and asking to be discharged, &c.

The report was accepted and adopted, and the bill ordered to a third reading.

By unanimous consent,

Mr. White moved that the Chair appoint three additional members to the committee on Engrossment and Enrollment.

The Chair announced a communication from the Senate:

SENATE CHAMBER,
Lansing, February 9, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

1. Senate bill 42,

A bill to authorize certain townships and cities to loan money on bonds of the township or city, for the construction of plank or gravel roads, bridges, and for other purposes.

2. Senate bill 47,

A bill to provide for the location of the seat of justice of the county of Isabella.

3. A bill to enlarge the corporate limits of the city of Detroit.

4. Senate bill 31,

A bill for the establishment of a State Agricultural School.

5. Senate bill 64,

A bill to provide for the draining of swamps, marshes, and other low lands.

6. Senate bill 65,

A bill to amend sections 4, 5 and 8, of an act to incorporate the city of Monroe, approved March 22, 1837; also, to amend an act entitled an act to incorporate the city of Monroe, approved February 16, 1842; also, to amend an act entitled an act to amend an act to incorporate the city of Monroe, and certain acts amendatory thereto, approved March 30, 1849.

7. Senate bill 61,

A bill to protect the rights and liberties of the inhabitants of this State.

8. A bill to provide for the expenses of the State government during the years 1855, '56.

All of which the Senate have passed by a majority vote of all the Senators elect, and ordered the 1st, 2d, 3d and 4th named to take immediate effect, and the 5th and 6th to take effect in 30 days.

In all of which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

Which named bills were referred to the proper committees.

By unanimous consent,

Mr. McIntyre introduced the following:

Resolved, That the State Printer be allowed an extension of thirty days, after the adjournment of the Legislature, to print the report of the late Superintendent of Public Instruction, and that the Clerk of this House be directed to superintend the printing of the same, and to forward the same to the members thereof: *Provided*, That no charge shall be made to the State for said services, by said Clerk.

Adopted.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 9, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives,

1. House joint resolution No. 4, being,

Joint resolution relative to a claim of the State of Michigan against Chippewa county, for State tax.

2. A bill to provide for the issuing of a certain patent to John Blake, of Berrien county.

3. Joint resolution relative to an exchange of lots with the First Baptist Church and Society of Lansing.

4. Joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing.

5. House bill No. 80,

A bill to supply every school district in the State with Noah Webster's Unabridged Dictionary of the English language.

6. House bill 72,

A bill to amend an act entitled an act to incorporate the city of Detroit Gas Light Company.

7. House bill 56,

A bill to repeal act No. 81 of the session laws of 1853.

8. A bill to amend an act entitled an act to incorporate the city of Adrian, approved January 31st, 1853, and an act entitled an act to amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31, 1853, approved February 10, 1853,

With an amendment.

9. House bill 94,

A bill to organize the township of Mussey, in St. Clair county.

10. House bill 99,

A bill to authorize the common council of the city of Detroit to refund certain taxes.

11. A bill to organize the county of Manistee and certain townships therein.

12. A bill to change the name of the First Presbyterian Society in the township of Grass Lake, county of Jackson, State of Michigan.

13. House bill 64,

A bill to amend an act entitled an act relative to plank roads, approved March 13, 1848, and an act amendatory thereto, approved Feb. 9, 1853, and to add two new sections thereto, with an amendment, in which the concurrence of the House is respectfully asked.

In all of which the Senate have concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of said Senators have ordered to take immediate effect.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which bills were referred to the Enrolling committee, except the last named.

The amendment of the Senate was concurred in, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Beebe, | Mr. Gregory, | Mr. P. Power, |
| Beecher, | Hixon, | Ralph, |
| Brownell, | Hurd, | Reynolds, |
| Cady, | Ives, | Sanborn, |
| Chamberlin, | Judd, | St. Aubin, |
| Church, | King, | Strang, |
| J. Divine, | Lapham, | Ward, |
| R. K. Divine, | Lomison, | Wells, |
| Duncan, | Middlesworth, | Wendell, |
| DuPuy, | H. Montague, | White, |
| Eddy, | Moorman, | Whitmore, |
| Edwards, | Noble, | Wilbur, |
| Ewell, | Parker, | Williams, |
| Gilman, | Pettit, | Speaker, |

42 .

NAYS.

| | | |
|------------|-----------------|-------------|
| Mr. Brown, | Mr. Hall, | Mr. Ross, |
| Chapel, | Miller, | Stout, |
| Chalfield, | D. N. Montague, | Sutherland, |
| Knos, | Mussey, | Tompkins, |
| Fitch, | Parsons, | |

14

The Chair appointed Messrs. Mills, H. Montague and J. Divine, on the committee on Enrollment.

Mr. Pettit moved to take from the committee of the Whole,

A bill to organize the township of Spring Brook, in Gratiot county.

Carried.

Which was ordered to a third reading.

Mr. Hall moved to discharge the committee of the Whole from House bill No. 89.

Adopted, and the bill ordered to a third reading.

Mr. H. Montague moved to take from the table,

Joint resolution to appoint a committee to inquire into State Affairs.

Carried, and the resolution ordered read a third time.

Mr. Strang moved to discharge the committee of the Whole from the further consideration of,

Joint resolution relative to the Indians of Michigan.

Carried, and the resolution ordered to a third reading.

Mr. Judd moved to reconsider the vote by which Senate bill to amend the charter of the Hillsdale and Indiana Plank Road Company, was lost.

Carried.

The question recurring upon the passage of the bill, the same was passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Atwood, | Mr. Ives, | Mr. N. Power, |
| Ashmun, | Judd, | P. Power, |
| Beebe, | King, | Ralph, |
| Brown, | Kirkland, | Ross, |
| Brownell, | Lapham, | Sanborn, |
| Cady, | Littlejohn, | St. Aubin, |
| Chamberlin, | Lomison, | Shier, |
| Chapel, | Lovell, | Stout, |
| Church, | Luce, | Strang, |
| J. Divine, | McIntyre, | Sutherland, |
| R. K. Divine, | Middlesworth, | Tompkins, |
| Duncan, | Miller, | Ward, |
| DuPuy, | H. Montague, | Wells, |
| Eddy, | Moorman, | White, |
| Edwards, | Musey, | Whitmore, |
| Enos, | Noble, | Wilbur, |
| Ewell, | Parker, | Williams, |
| Gilman, | Parsons, | Speaker, |
| Hall, | Pettit, | |

56

NAYS.

| | | |
|------------|---------------------|---|
| Mr. Hixon, | Mr. D. N. Montague, | 2 |
|------------|---------------------|---|

SENATE CHAMBER,
Lansing, February 9, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

A bill to unite the townships of Sheridan and Albion, in the county of Calhoun,

Which the Senate have passed by a majority vote of all the Senators elect, and ordered to take immediate effect by a two-thirds vote of said Senators, in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Which bill was referred to the committee on Towns and Counties.

Senate amendment to the bill to amend the charter of the city of Adrian, was concurred in as follows, by yeas and nays:

YEAS.

Mr. Atwood,
Beebe,
Beecher,
Brownell,
Cady,
Chapel,
Church,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Knox,
Ewell,
Fitch,
Gilman,
Gregory,
Hall,
Hurd,

Mr. Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,

Mr. Parker,
Parsons,
Pettit,
P. Power,
Sanborn,
St. Aubin,
Shier,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

52

NAYS.

0

And the bill was ordered enrolled.

On motion,

The House adjourned.

AFTERNOON SESSION.

House called to order at 2 o'clock.

Roll called; a quorum present.

Mr. Beecher moved that the bill apportioning Representatives to this House, be taken from the table and made the special order of 3 o'clock.

Mr. N. Power presented the following:

The committee on Agriculture and Manufactures have had under consideration, Senate bill No. 31,

A bill for the establishment of a State Agricultural School,

And report the same back without amendment, and recommend that the same do pass.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. Mills moved to take from the general order, and place upon its third reading, House bill No. 103.

Adopted, and the bill ordered to a third reading.

Mr. Beebe offered the following:

Resolved, That the Attorney General be, and he is hereby directed to inquire, and report to the Executive at his earliest convenience, whether any manufacturing is carried on in the State Prison, contrary to the provisions of the Constitution or laws of this State.

Which was adopted.

Mr. Church moved to take from the table the bill to organize the county of Aranac.

Which motion prevailed.

Mr. Ashmun moved to strike out section 6.

Which motion was lost,

And the bill was ordered to its third reading.

Mr. Church moved to take from the table, House bill No. 46.

Which motion prevailed.

The bill was ordered to a third reading.

Mr. Hall moved to discharge the committee of the Whole from House joint resolution No. 6.

Which motion prevailed,

And the resolution was ordered to a third reading.

Mr. McIntyre moved to amend as follows:

Insert in line 3, after the word "expose," the words "one copy of."

Which was adopted.

Mr. Hall moved that the rules be suspended.

Which motion was adopted, and the joint resolution donating statutes and public acts to the New York Law Institute, was read a third time and passed, by yeas and nays, as follows, two-thirds voting therefor:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Hixon, | Mr. Parsons, |
| Ashmun, | Hurd, | Pettit, |
| Beebe, | Ives, | N. Power, |
| Beecher, | Judd, | P. Power, |
| Brownell, | King, | Ralph, |
| Cady, | Kirkland, | Reynolds, |
| Chapel, | Lapham, | Ross, |
| Chatfield, | Littlejohn, | St. Aubin, |
| Church, | Lomison, | Shier, |
| J. Divine, | Lovell, | Stout, |
| R. K. Divine, | Luce, | Strang, |
| Duncan, | McIntyre, | Sutherland, |
| DuPuy, | Middlesworth, | Tompkins, |
| Eddy, | Miller, | Ward, |
| Edwards, | Mills, | Wells, |
| Enos, | D. N. Montague, | Wendell, |
| Kwell, | H. Montague, | White, |
| Fitch, | Moorman, | Whitmore, |
| Gilman, | Mussey, | Williams, |
| Gregory, | Noble, | Speaker, |
| Hall, | Parker, | |

62

NAYS.

0

The resolution was ordered to take immediate effect.

Mr. Beecher presented the following:

The committee of Ways and Means, to whom was referred,

A bill to provide for the expenses of the State Government during the years 1855 and 1856,

Have had the same under consideration, and instructed their chairman to report the same back without amendment, and ask to be discharged from the further consideration of the subject.

Report accepted and the committee discharged, and,

On motion of Mr. Beecher,

The rule was suspended, and the bill passed, as follows:

YEAS

| | | |
|---------------|---------------|---------------|
| Mr. Beebe, | Mr. Ives, | Mr. P. Power, |
| Beecher, | Judd, | Reynolds, |
| Brown, | Littlejohn, | Ross, |
| Brownell, | Lomison, | Shier, |
| Cady, | Lovell, | Smith, |
| Chapel, | Luce, | Stout, |
| Chatfield, | McIntyre, | Strang, |
| R. K. Divine, | Middlesworth, | Sutherland, |
| Duncan, | Miller, | Tiffany, |

DuPuy,
Eddy,
Edwards,
Fitch,
Gilman,
Gregory,
Hall,
Hixon,
Hurd,

Mills,
D. N. Montague,
H. Montague,
Moorman,
Munsey,
Noble,
Parker,
Pettit,
N. Power,

Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

53

NAYS.

Mr. Ewell,

Mr. Parsons,

2

And it was ordered to take immediate effect.

On motion of Mr. Lapham,

Joint resolution for the relief of the heirs of Beaumont Clark,

Was ordered to a third reading.

Mr. McIntyre presented the following:

The committee on Banks and Incorporations, to whom was referred Senate bill No. 65, passed by that body, have, according to order, had the same under consideration, and instructed me to report the same back to the House without amendment, to recommend its passage, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

The following communication was received from the Senate:

SENATE CHAMBER,
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

Senate bill,

A bill to authorize a conveyance of certain land to the German members of the Methodist Episcopal Church of Lansing, and to remit the debt unpaid for the same; also,

A bill to amend section 57 of chapter 90 of the revised statutes of 1846,

And to inform the House that the Senate have non-concurred in the House amendments thereto.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

The question being upon concurring in the amendments,
Mr. Fitch moved to insist upon the amendment to the first named bill.

Which motion prevailed; and,

On motion,

Messrs. Fitch and Chamberlin were appointed a committee of conference on the part of the House.

Mr. Church moved that the House insist on its amendment to the last named bill.

Which prevailed, and,

On motion of Mr. Church,

The Chair appointed Messrs. Church and Wells as a committee of conference.

Mr. McIntyre presented the following report:

The committee on Banks and Incorporations, to whom was referred the printed Senate bill No. 42, to authorize certain townships and cities to loan money on bonds of the township or city, for the construction of plank or gravel roads, bridges, and for other purposes, have, according to order, had the same under consideration, and instructed me to report the same to the House without amendment, and ask to be discharged from the further consideration of the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

SPECIAL ORDER.

The hour of 3 o'clock having arrived, the House took up the bill to apportion anew the Representatives among the several counties of the State.

The question being upon the adoption of a substitute reported by the select committee,

Mr. Church moved to amend so as to allow an additional member to the county of Grand Traverse, and counties attached and contiguous.

Which amendment was adopted, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Chapel,
Church,

Mr. King,
Kirkland,
Lapham,
Littlejohn,

Mr. Reynolds,
Ross,
St. Aubin,
Smith,

| | | |
|---------------|-----------------|-------------|
| J. Divine, | Lomison, | Stout, |
| R. K. Divine, | Lovell, | Strang, |
| Duncan, | Luce, | Sutherland, |
| DuPuy, | McIntyre, | Ward, |
| Edwards, | Middlesworth, | Wendell, |
| Fitch, | D. N. Montague, | White, |
| Gilman, | Moorman, | Whitmore, |
| Hixon, | Parsons, | Wilbur, |
| Hurd, | Pettit, | Williams, |
| Ives, | N. Power, | Speaker, |
| Judd, | P. Power, | |

44

NAYS.

| | | |
|------------|-----------|------------|
| Mr. Beebe, | Mr. Enos, | Mr. Noble, |
| Beecher, | Ewell, | Tompkins, |
| Brown, | Miller, | Wells, |
| Cady, | Mussey, | |

11

The question being upon the substitute fixing the ratio at one representative for every seven thousand inhabitants, the same was adopted, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|-------------|
| Mr. Atwood, | Mr. Enos, | Mr. Parker, |
| Ashmun | Ewell, | Parsons, |
| Barclay, | Fitch, | Pettit, |
| Beebe, | Ives, | Reynolds, |
| Beecher, | Judd, | St. Aubin, |
| Brown, | King, | Smith, |
| Cady, | Kirkland, | Stout, |
| Chamberlin. | Lapham, | Strang, |
| Chapel, | Littlejohn, | Sutherland, |
| Chatfield, | Lomison, | Tiffany, |
| Church, | Luce, | Wells, |
| J. Divine, | McIntyre, | Wendell, |
| R. K. Divine, | Middlesworth, | Whitmore, |
| Duncan, | Mills, | Wilbur, |
| DuPuy, | Moorman, | Williams, |
| Eddy, | Mussey, | Speaker, |
| Edwards, | Noble, | |

50

NAYS.

| | | |
|---------------|-----------------|---------------|
| Mr. Brownell, | Mr. Lovell, | Mr. P. Power, |
| Gilman, | Miller, | Shier, |
| Gregory, | D. N. Montague, | Tompkins, |
| Hixon, | H. Montague, | Ward, |
| Hurd, | N. Power, | White, |

15

The bill was then ordered to a third reading.

On motion of Mr. Fitch,

The rules were suspended, and the bill put upon its final passage, and passed, as follows:

YEAS.

| | | |
|---------------|--------------|-------------|
| Mr. Atwood, | Mr. Ewell, | Mr. Mussey, |
| Ashmun, | Fitch, | Noble, |
| Barday, | Gilman, | Parker, |
| Beebe, | Hall, | N. Power, |
| Beecher, | Hurd, | Reynolds, |
| Brown, | Ives, | Ross, |
| Brownell, | Judd, | St. Aubin, |
| Cady, | King, | Smith, |
| Chamberlin, | Kirkland, | Stout, |
| Chatfield, | Lapham, | Strang, |
| Church, | Lomison, | Sutherland, |
| J. Divine, | Lovell, | Tiffany, |
| R. K. Divine, | Luce, | Ward, |
| Duncan, | McIntyre, | Wells, |
| DuPuy, | Middleworth, | Wendell, |
| Eddy, | Mills, | Whitmore, |
| Edwards, | H. Montague, | Speaker, |
| Enos, | Moorman, | 52. |

NAYS.

| | | |
|--------------|---------------------|------------|
| Mr. Gregory, | Mr. D. N. Montague, | Mr. Shier, |
| Hixon, | Parsons, | Tompkins, |
| Littlejohn, | Pettit, | White, |
| Miller, | P. Power, | 11 |

Title agreed to.

Mr. White submitted the following:

The committee on Towns and Counties, to whom was referred Senate bill 58, and a bill to enlarge the corporate limits of the city of Detroit, beg leave to report that your committee have had the same bills under consideration, and have instructed their chairman to report the same back to the House, No. 58 without amendment, the other bill with a certain amendment, and ask the concurrence of the House therein, and that your committee be discharged, &c.

Report accepted, committee discharged, and bill No. 58 ordered to a third reading.

The question being upon concurring in the amendment to the second-named bill, it was concurred in.

Mr. St. Aubin offered the following as an additional amendment, by adding thereto the words:

"And provided a majority of the legal voters of the said proposed ward, shall, by petition, request the common council to give their consent."

Which was adopted, and the bill ordered to be read a third time.

Mr. Littlejohn, from the committee on State Affairs, reported as follows:

The committee on State Affairs, to whom was referred the Senate bill to protect the rights and liberties of the inhabitants of this State, have had the same under consideration, and a majority of said committee have instructed their chairman to report adverse to the passage of said bill, upon the ground of its unconstitutionality, and ask to be discharged from its further consideration.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. Edwards moved to take from the table,

A bill to amend the charter of the Detroit and Maumee Railroad Company,

And to recommit the same to the committee on Banks and Incorporations, with instructions to report the same to this House forthwith.

Which motion prevailed, and the bill was recommitted.

The following communications were received from the Senate:

SENATE CHAMBER,
Lansing, February 9, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed to inform the House of Representatives that the Senate, by a vote of two-thirds of all the Senators elect, have ordered,

A bill to incorporate the city of Flint,

A bill to provide for the organization of the township of Buel, in the county of Sanilac,

A bill to organize the township of Allison, in Lapeer county,

Joint resolution authorizing the Board of State Auditors to allow certain claims against the State,

A bill making appropriations for the payment of warrants drawn by the State Auditors,

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853,

To take immediate effect, and the same to be enrolled.

Very respectfully,

L. W. WILDER,

Sec'y of Senate.

SENATE CHAMBER,

Lansing, February 8, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed by the Senate to inform the House of Representatives, that the Senate have concurred in the House amendments to

A bill to re-arrange the Senate Districts of this State.

A bill to provide for the inspection of lumber.

A bill to provide for repairing and finishing the State Prison, and for the construction of cells therein.

And that the same, as amended, are ordered enrolled.

Very respectfully, &c.,

L. W. WILDER,

Secretary of the Senate.

Mr. Ives moved to take from the table, resolution for the relief of Emery Beals.

Which was adopted.

And the question being on the motion to reconsider, the same was adopted.

The question being upon the final passage of the joint resolution, it was passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Beecher,
Cady,
Chamberlin,
Chapel,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Edwards,
Enos,
Ewell,

Mr. Fitch,
Gregory,
Hall,
Hurd,
Ives,
Judd,
King,
Lapham,
Luce,
Middlesworth,
Mills,
Moorman,
Museum,
Pettit,

Mr. N. Power,
P. Power,
Ross,
St. Aubin,
Shier,
Sutherland,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,

NAYS.

| | | | |
|-------------|-----------------|------------|----|
| Mr. Eddy, | Mr. Lomison, | Mr. Noble, | |
| Gilman, | Lovell, | Parker, | |
| Hixon, | D. N. Montague, | Strang, | |
| Littlejohn, | H. Montague, | Tiffany, | 12 |

Mr. R. K. Divine offered the following:

The committee on Roads and Bridges, to whom was referred Senate bill No. 47, being,

A bill to provide for the location of the seat of justice in the county of Isabella,

Report the same back, and ask the House to take such action as it may see fit, on the subject.

Report accepted, committee discharged, and the bill ordered to a third reading.

Mr. Church, from the Judiciary committee, submitted the following:

The committee on the Judiciary, to whom was referred Senate bills, one to amend section 1 of chapter 68 of the revised statutes of 1846, relative to the last wills and testaments; one to provide for holding the terms of the Supreme Court, with an amendment thereto; and also, House bill regulating the compensation of supervisors in certain cases, have considered the same, and have instructed me to report the same back, with a recommendation that they do pass.

Report accepted, committee discharged, the amendments concurred in, and the bills ordered to a third reading.

THIRD READING OF BILLS.

A bill making an appropriation for the State Normal School,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Atwood, | Mr. Judd, | Mr. N. Power, |
| Ashmun, | King, | P. Power, |
| Beecher, | Kirkland, | Ralph, |
| Brown, | Lapham, | Reynolds, |
| Brownell, | Littlejohn, | Ross, |
| Cady, | Lomison, | St. Aubin, |
| Chapel, | Lovell, | Shier, |
| Church, | Luce, | Smith, |
| J. Divine, | McIntyre, | Strang, |
| R. K. Divine, | Middlesworth, | Sutherland, |
| Duncan, | Miller, | Tiffany, |
| DuPuy, | Mills, | Tompkins, |

| | | |
|----------|-----------------|-----------|
| Eddy, | D. N. Montague, | Ward, |
| Edwards, | H. Montague, | Wells, |
| Enos, | Moorman, | Wendell, |
| Fitch, | Noble, | White, |
| Gilman, | Parker, | Whitmore, |
| Gregory, | Parsons, | Wilbur, |
| Hall, | Pettit, | Williams, |
| Hurd, | | |

58

NAYS.

Mr. Ewell, 1

Title agreed to.

And by a two-thirds vote of all the members elect, was ordered to take immediate effect.

Mr. Whitmore obtained leave of absence for Mr. Ralph, on account of sickness.

A bill to increase the pay of Justices of the Peace,

Being upon its final passage, it was passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Ashmun, | Mr. Gregory, | Mr. Noble, |
| Beebe, | Hurd, | Parker, |
| Beecher, | Ives, | Pettit, |
| Brown, | Judd, | P. Power, |
| Brownell, | King, | Reynolds, |
| Cady, | Kirkland, | Ross, |
| Chapel, | Lapham, | Smith, |
| Church, | Littlejohn, | Stout, |
| J. Divine, | Lomison, | Sutherland, |
| R. K. Divine, | Luce, | Tiffany, |
| Duncan, | Middlesworth, | Ward, |
| DuPuy, | Miller, | Wells, |
| Edwards, | Mills, | Wendell, |
| Enos, | D. N. Montague, | Williams, |
| Gilman, | H. Montague, | Speaker, |

45

NAYS.

| | | |
|-------------|-------------|-------------|
| Mr. Atwood, | Mr. Lovell, | Mr. Strang, |
| Eddy, | Parsons, | White, |
| Ewell, | N. Power, | Whitmore, |
| Hall, | Shier, | Wilbur, |
| Hixon, | | |

13

Title agreed to.

By unanimous consent, the following report was read:

The committee on Banks and Incorporations, to whom was recommended the bill to amend an act to incorporate the Detroit and Maumee

Railroad Company, with instructions to report the same back to the House forthwith, have great pleasure in performing that duty by reporting the same back to the House, with the instructions, and your committee ask to be discharged from the subject.

D. McINTYRE,

Chairman.

Report accepted, committee discharged, and the bill laid on the table.

A bill for the establishment of a State Agricultural School, (being a Senate bill,)

Being upon its final passage, it was passed, as follows, by yeas and nays:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Atwood, | Mr. Hall, | Mr. N. Power, |
| Barclay, | Hurd, | P. Power, |
| Beebe, | Ives, | Ross, |
| Beecher, | King, | St. Aubin, |
| Brown, | Kirkland, | Sherman, |
| Brownell, | Lapham, | Shier, |
| Cady, | Littlejohn, | Stout, |
| Chatfield, | Lomison, | Strang, |
| Church, | McIntyre, | Sutherland, |
| J. Divine, | Middlesworth, | Ward, |
| R. K. Divine, | Miller, | Wells, |
| Duncan, | D. N. Montague, | Wendell, |
| DuPuy, | H. Montague, | White, |
| Edwards, | Moorman, | Whitmore, |
| Enos, | Noble, | Wilbur, |
| Fitch, | Parsons, | Williams, |
| Gilman, | Pettit, | Speaker, |
| Gregory, | | |

52

NAYS.

| | | |
|-------------|-------------|---------------|
| Mr. Chapel, | Mr. Lovell, | Mr. Reynolds, |
| Eddy, | Luce, | Smith, |
| Ewell, | Mills, | Tiffany, |
| Hixon, | Parker, | Tompkins, |
| Judd, | | |

13

The title was agreed to.

And by a two-thirds vote of all the members elect, the bill was ordered to take immediate effect.

The Chair announced the following communication from the Senate:

SENATE CHAMBER, }
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

Joint resolution relative to enrolled bills and resolutions, which may not be reported before the final adjournment of the Legislature,

Which has this day passed the Senate, and in which the concurrence of the House is respectfully asked; also, to inform the House that the Senate concur in the accompanying resolution, relative to joint convention of both Houses.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

The joint resolution above referred to, relative to enrollment of bills, was read twice, and,

On motion,

Laid on the table.

On motion of Mr. Mills,

The House adjourned.

EVENING SESSION.

The House met at 7 o'clock.

Roll called; a quorum present.

The Speaker announced the following communication from the Senate:

SENATE CHAMBER, }
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives, the accompanying concurrent resolution, relative to

joint convention, adopted this day by the Senate, and to respectfully ask the concurrence of the House therein.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

Resolved, (the House concurring,) The Senate and House of Representatives will meet in joint convention, in the Hall of the House, at 7 o'clock this evening, to elect a Trustee of the Michigan Asylums, in place of Perley J. Spaulding, resigned.

The Chair announced that the time had arrived for holding the joint convention for electing a Trustee to the Asylums.

Mr. Wells moved that a committee of two be appointed to confer with the Senate, and inform them that the House was prepared to go into joint convention.

The Speaker appointed Messrs. Wells and Brown such committee.

After a short absence, the committee returned, and reported that they had performed the duty assigned them, and that the Senate would be in attendance immediately.

The following are the proceedings of the

JOINT CONVENTION.

The Sergeant-at-Arms announced the Senate.

Hon. Geo. A. Coe, Lieutenant Governor and President of the Senate, took the chair and called the Senate to order.

The roll of Senators and Representatives was called by their respective Clerks, and a quorum of the joint convention answered to their names.

The Chair announced the object of the convention to be the election of a Trustee to the State Asylums, in place of Perley J. Spaulding, resigned.

Representative Beecher nominated John Barber, of Adrian.

Representative H. Montague nominated Luther H. Trask, of Kalamazoo.

Senator Goodrich nominated Geo. S. Hopkins, of Flint.

Representative Hurd nominated Charles T. Gorham, of Marshall.

On motion of Mr. Parsons,

The joint convention proceeded to the election of a Trustee in place of Perley J. Spaulding, resigned, which resulted as follows:

| | |
|---------------------------|-----|
| John Barber, House, | 27 |
| " Senate, | 9 |
| | —36 |
| Luther H. Trask, House, | 26 |
| " Senate, | 12 |
| | —38 |
| Daniel S. Hopkins, House, | 1 |
| " Senate, | 2 |
| | —3 |
| Charles T. Gorham, House, | 6 |
| " Senate, | 1 |
| | —7 |
| Wm. T. Howell, House, | 2 |
| " Senate, | 2 |
| | —4 |
| N. Power, House, | 1 |
| N. Barlow, Senate, | 1 |
| Edward Lawrence, | 1 |
| John M. Lamb, | 1 |
| Hiram Chamberlin, | 1 |

No person having a majority of all the votes cast,

On motion of Mr. Beecher,

The joint convention proceeded to vote a second time for a Trustee for the Asylum, in place of P. J. Spaulding, resigned, which resulted as follows :

LUTHER H. TRASK.

| | | | |
|-----------|------------|------------|----|
| Mr. Arms, | Mr. Fitch, | Mr. Paine, | |
| Blair, | Foster, | Pattison, | |
| Boss, | Goodrich, | Rexford, | |
| Brockway, | Hussey, | Tripp, | |
| Brown, | Jerome, | Wight, | |
| Cressy, | Ladd, | | 17 |

JOHN BARBER.

| | | | |
|-------------|-------------|---------------|----|
| Mr. Alvord, | Mr. Hooker, | Mr. Sullivan, | |
| Bills, | Kenyon, | A. I. Upson, | |
| Boies, | Montgomery, | C. Upson, | |
| Goodyear, | | | 10 |

HARMON CHAMBERLIN.

| | |
|-------------|---|
| Mr. Conger, | 1 |
|-------------|---|

JOHN BARBER.

Mr. Atwood,
Barclay,
Beecher,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
Duncan,

Mr. Eddy,
Ewall,
Fitch,
Hixon,
Kirkland,
Littlejohn,
Lomison,
Parker,

Mr. Parsons,
Reynolds,
St. Aubin,
Strang,
Sutherland,
Tiffany,
Wendell,
Wilbur,

25

LUTHER H. TRASK.

Mr. Ashmun,
Beebe,
Brown,
Brownell,
Cady,
R. K. Divine,
DuPuy,
Edwards,
Enos,
Gilman,
Gregory,
Hall,
Hurd,
Ives,

Mr. Judd,
King,
Lapham,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,

Mr. Noble,
Pettit,
N. Power,
P. Power,
Shier,
Smith,
Stout,
Tompkins,
Ward,
Wells,
Whitmore,
Williams,
Speaker,

40

JOHN M. LAMB.

Mr. White,

1

Luther H. Trask having received a majority of all the votes cast, the Chair declared Luther H. Trask duly elected as such Trustee.

On motion of Senator Brockway,

The joint convention adjourned.

I. W. WILDER,

Secretary of Senate.

H. BARNES,

Clerk of House of Rep's.

The Speaker called the House to order, and announced as the result of such convention, that Luther H. Trask was duly elected Trustee of the Asylums of the State of Michigan.

Mr. Fitch, from the committee of conference, made the following report:

The committee of conference on the part of the House, to confer with a similar committee on the part of the Senate, on the disagreeing

votes between the two Houses, on amendments made by the House to a bill authorizing the conveyance of certain land to the German members of the Methodist Episcopal Church of Lansing, beg leave to report that they have conferred with the committee on the part of the Senate, and that they cannot agree. They recommend that the House allow Senator Brockway, member of the Senate committee, to appear at the bar of this House for the purpose of explaining the provisions of the bill, as it originally passed the Senate.

Which report was accepted, committee discharged, the recommendation concurred in; and,

Mr. Brockway was allowed to come within the bar and make an explanation.

After which,

On motion of Mr. Beebe,

The whole matter was laid on the table.

The House resumed the consideration of the regular order of business, being the third reading of bills.

A joint resolution relative to the Indians of Michigan:

The question being upon its passage, the same was lost, a majority of the members elect not voting for the same, as follows:

YEAS.

Mr. Ashmun,
Barclay,
Beebe,
Cady,
Church,
J. Divine,
R. K. Divine,
Duncan,
DuPuy,
Ewell,
Gilman,
Gregory,
Hall,

Mr. Hixon,
Hurd,
Ives,
Judd,
Kirkland,
Littlejohn,
Lomison,
Luce,
Mills,
D. N. Montague,
Moorman,
Noble,
Parsons,

Mr. Pettit,
N. Power,
Reynolds,
St. Aubin,
Strang,
Sutherland,
Tompkins,
Ward,
Wendell,
Wilbur,
Williams,
Speaker,

38

NAYS.

Mr. Atwood,
Beecher,
Brown,
Brownell,
Chapel,

Mr. Lovell,
McIntyre,
Middlesworth,
Miller,
H. Montague,

Mr. P. Power,
Shier,
Smith,
Tiffany,
Wells,

Eddy,
Enos,
Lapham,

Mussey,
Parker,

White,
Whitmore,

22

Mr. H. Montague moved to reconsider.

Which motion,

On motion of Mr. Church,

Was laid on the table.

A bill to authorize the business of banking,

Being on its final passage, it was declared lost, a majority of all the members elect not having voted therefor, as follows:

YEAS.

Mr. Ashmun,
Barclay,
Beebe,
Brown,
Church,
Duncan,
Du Puy,
Eddy,
Gregory,
Judd,
Lapham,
Lovell,

Mr. Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Parker,
Pettit,
N. Power,
P. Power,

Mr. Sanborn,
St. Aubin,
Shier,
Tiffany,
Tompkins,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

35

NAYS.

Mr. Atwood,
Beechar,
Brownell,
Cady,
Chamberlin,
Chapel,
J. Divine,
R. K. Divine,
Enos,

Mr. Ewell,
Gilman,
Hall,
Hixon,
Hurd,
King,
Kirkland,
Littlejohn,
Lomison,

Mr. Mussey,
Noble,
Parsons,
Reynolds,
Smith,
Strang,
Sutherland,
Wendell,

26

Mr. Hixon moved to reconsider the vote by which the bill was lost.

Which motion,

On motion of Mr. McIntyre,

Was laid on the table.

A bill to amend an act entitled an act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846, approved April 8, 1851,

Being upon its final passage, was lost, a majority of all the members elect not having voted therefor, as follows:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Atwood, | Mr. Hurd, | Mr. Moorman, |
| Aahmus, | Ives, | Parker, |
| Barclay, | Judd, | Pettit, |
| Beecher, | King, | N. Power, |
| Brown, | Kirkland, | St. Aubin, |
| Chapel, | Lovell, | Sutherland, |
| J. Divine, | Luce, | Tiffany, |
| R. K. Divine, | McIntyre, | Tompkins, |
| DuPuy, | Middlesworth, | Wells, |
| Eddy, | Miller, | Wendell, |
| Enos, | D. N. Montague, | Whitmere, |
| Hall, | H. Montague, | Williams, |

36

NAYS.

| | | |
|-------------|--------------|--------------|
| Mr. Beebe, | Mr. Gregory, | Mr. Parsons, |
| Brownell, | Hixon, | Reynolds, |
| Cady, | Lapham, | Shier, |
| Chamberlin, | Littlejohn, | Smith, |
| Church, | Lomison, | Stout, |
| Duncan, | Mills, | Strang, |
| Ewell, | Mussey, | Speaker, |
| Gilman, | Noble, | |

23

Mr. McIntyre moved a reconsideration.

Which motion was laid on the table.

Joint resolution to appoint a committee to investigate into State Affairs:

Pending the passage of which,

Mr. Chapel moved to lay on the table.

Which was withdrawn.

Mr. H. Montague moved to re-commit, with instructions to amend as follows:

To strike out in resolution, "seven," "five" and "three," and insert in lieu thereof the words, "three," "two" and "one," (referring to the number of the committee.

Which was withdrawn,

And the resolutions were laid on the table.

A bill regulating the sales of swamp lands, and to confirm certain sales of the same,

Being upon its final passage, a majority having voted for the same, it was passed, as follows:

YEAS.

Mr. Beebe,
Beecher,
Brown,
Brownell,
Cady,
Eddy,
Edwards,
Enos,
Ewell,
Gilman,
Gregory,
Hall,
Hurd,

Mr. Ives,
Judd,
King,
Lapham,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
H. Montague,
Mussey,
Parker,

Mr. Pettit,
N. Power,
P. Power,
Shier,
Smith,
Stout,
Tiffany,
Tompkins,
Ward,
Wells,
Williams,
Speaker,

38

NAYS.

Mr. Atwood,
Ashmun,
Barclay,
Chamberlin,
Chapel,
Church,
J. Divine,
R. K. Divine,

Mr. Duncan,
DuPuy,
Fitch,
Hixon,
Kirkland,
Littlejohn,
D. N. Montague,

Mr. Moorman,
Noble,
Reynolds,
Strang,
Sutherland,
White,
Wilbur,

22

Title agreed to.

A bill to provide for laying out a State road from Grand Rapids to Grand Traverse,

Being upon its final passage, it was passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Beecher,
Brownell,
Cady,
Chamberlin,
Chatfield,
Church,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,

Mr. Hixon,
Hurd,
Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Miller,
D. N. Montague,
Moorman,
Mussey,
Noble,

Mr. Pettit,
N. Power,
P. Power,
Reynolds,
St. Aubin,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,

Ewell,
Gilman,
Gregory,

Parker,
Parsons,

Williams,
Speaker,

55

NAYS.

0.

Title agreed to.

A bill to revise an act entitled an act to provide for the removal of the State Land Office to the seat of government, approved March 31st, 1849,

Being upon its final passage, it was passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Brownell,
Chapel,
Church,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Ewell,
Fitch,
Gilman,
Gregory,
Hall,
Hixon,
Hurd,

Mr. Ives,
Judd,
King,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
Moorman,
Munsey,
Noble,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
Reynolds,
St. Aubin,
Shier,
Smith,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

56

NAYS.

Mr. Beebe,

Mr. Brown,^a

Mr. Cady,

3.

Title agreed to.

And by a two-thirds vote of all the members elect, this act was ordered to take immediate effect, excepting the ninth section thereof.

Mr. Gregory moved to reconsider the vote by which House bill 49, being,

A bill to amend an act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846, approved April 8, 1851,

Was lost.

Which motion prevailed.

The question being upon its final passage, it was passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beecher,
Chapel,
Church,
J. Divine,
R. K. Divine,
DuPuy,
Eddy,
Edwards,
Enos,
Fitch,
Hall,

Mr. Hurd,
Ives,
Judd,
King,
Kirkland,
Luce,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Parker,

Mr. Pettit,
N. Power,
St. Aubin,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,

40

NAYS.

Mr. Beebe,
Brownell,
Cady,
Chamberlin,
Duncan,
Ewell,
Gilman,

Mr. Gregory,
Lapham,
Littlejohn,
Lomison,
Muesey,
Noble,
Parsons,

Mr. Reynolda,
Shier,
Smith,
Stout,
Ward,
Speaker,

20

Title agreed to.

The committee on Engrossment and Enrollment reported as follows:

The committee on Engrossment and Enrollment report as correctly enrolled, signed, and this day presented to the Governor for approval,
An act relative to indictments.

An act to amend an act entitled an act for the relief of James Waters, approved February 5, 1853.

An act to amend section 1 of act No. 252 of the session laws of 1850.

An act to provide for the issuing of a certain patent to John Blake, of Berrien county.

An act to provide for the laying out and establishing of a certain State road.

An act to establish a House of Correction for juvenile offenders.

Joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing.

An act to amend sections 14 and 15 of an act entitled an act to define the powers and duties of the Boards of Supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851.

An act to amend an act entitled an act to incorporate the city of Detroit Gas Light Company.

An act to supply every School District in the State with a copy of Noah Webster's unabridged Dictionary of the English language.

An act to amend chapter 58, title 11 of the revised statutes of 1846, relative to the power of School Districts in furnishing fuel for schools.

An act for the maintenance and regulation of a bridge at Ives' Dock, in the town of Springwells.

An act to incorporate the village of Lansing.

An act to incorporate the village of Jonesville.

An act to incorporate the village of Dundee.

Joint resolution relative to an exchange of lots with the First Baptist Church and Society of Lansing.

An act to repeal act No. 81, of the session laws of 1853.

An act to organize the township of Mussey, in St. Clair county.

An act to authorize the Common council of the city of Detroit to regulate certain taxes.

[A manuscript page of the journal, which should appear here, is lost and cannot be supplied correctly from the recollection of the Clerk, and is therefore omitted entirely.]

The following report was announced:

The committee of Conference on the part of the House, to confer with a like committee on the part of the Senate, on the disagreeing votes between the two Houses on the amendments adopted by the House, to

A bill to authorize a conveyance of certain land to the German members of the Methodist Episcopal Church of Lansing, ask leave to report that they have met with the committee on the part of the Senate, and have agreed to the following report:

Amend section 2, by striking out in the 6th and 7th lines, the words "German members of the."

Amend the title by substituting the following for the original:

A bill to authorize the conveyance of certain lots in the village of Lansing, to Charles Fox, Harvey L. Baker, Jacob Shabel, Gottlieb

Stromb, and John G. Bees, Trustees in trust, for the Methodist Episcopal Church, in the village of Lansing.

All of which is respectfully reported, and the concurrence of the House asked therein, and your committee ask to be discharged from the further consideration of the subject.

F. S. FITCH.

Report accepted, committee discharged, and the amendment concurred in.

Mr. Beecher moved to reconsider the vote by which the swamp land bill was passed.

The bill to protect the rights and liberties of the inhabitants of this State,

Was read a third time, and being on its final passage,

Mr. Fitch moved to lay the same on the table;

Which motion was lost as follows, (Mr. Church called for the yeas and nays:)

YEAS.

Mr. Aahmun,
Barclay,
Chamberlin,
Church,
J. Divine,
Duncan,
Ewell,

Mr. Fitch,
Kirkland,
Lapham,
Littlejohn,
McIntyre,
Noble,

Mr. Reynolds,
Shier,
Smith,
Wendell,
White,
Wilbur,

19

NAYS.

Mr. Beebe,
Beecher,
Brown,
Brownell,
Cady,
R. K. Divine,
DuPuy,
Eddy,
Edwards,
Enos,
Gilman,
Gregory,
Hall,
Hurd,

Mr. Ives,
Judd,
King,
Lovell,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Parker,
Parsons,
Pettit,

Mr. N. Power,
P. Power,
St. Aubin,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
Whitmore,
Williams,
Speaker,

41

The bill was then put upon its passage and lost, as follows, a majority not having voted for the same:

YEAS.

| | | |
|---------------|-----------------|--------------|
| Mr. Beecher, | Mr. Hurd, | Mr. Moorman, |
| Brown, | Ives, | Parker, |
| Brownell, | Judd, | N. Power, |
| Cady, | King, | P. Power, |
| R. K. Divine, | Lovell, | Stout, |
| DuPuy, | Luce, | Strang, |
| Eddy, | Middlesworth, | Tompkins, |
| Edwards, | Miller, | Ward, |
| Enos, | Mills, | Wells, |
| Gregory, | D. N. Montague, | Whitmore, |
| Hall, | H. Montague, | Speaker, |

33

NAYS.

| | | |
|-------------|-------------|----------------|
| Mr. Atwood, | Mr. Fitch, | Mr. St. Aubin, |
| Ashmun, | Gilman, | Shier, |
| Beebe, | Kirkland, | Smith, |
| Chamberlin, | Littlejohn, | Sutherland, |
| Chapel, | McIntyre, | Tiffany, |
| Church, | Mussey, | Wendell, |
| J. Divine, | Noble, | White, |
| Duncan, | Parsons, | Williams, |
| Ewell, | Reynolds, | |

26

Mr. Mills gave notice that on Monday he would move to reconsider the vote.

Mr. Shier moved to reconsider now.

Mr. Fitch moved to lay the motion to reconsider on the table.

Which motion prevailed.

A bill to organize the town of Springbrook, in Gratiot county,

Was read a third time and passed, as follows:

YEAS.

| | | |
|---------------|---------------|---------------|
| Mr. Barclay, | Mr. Judd, | Mr. N. Power, |
| Beebe, | King, | P. Power, |
| Brown, | Kirkland, | Reynolds, |
| Brownell, | Lapham, | Shier, |
| Cady, | Littlejohn, | Smith, |
| Church, | Lomison, | Stout, |
| J. Divine, | Lovell, | Strang, |
| R. K. Divine, | Luce, | Sutherland, |
| Duncan, | McIntyre, | Ward, |
| DuPuy, | Middlesworth, | Wells, |
| Eddy, | Miller, | Wendell, |
| Enos, | H. Montague, | White, |
| Ewell, | Moorman, | Whitmore, |
| Gregory, | Noble, | Wilbur, |

| | | | |
|-------|---------|-----------|----|
| Hall, | Parker, | Williams, | |
| Hurd, | Pettit, | | 47 |
| | NAYS. | | 0 |

The bill was ordered to take immediate effect.

A bill to prevent the wrongful taking, detaching from the ground, or injuring any fruit tree, shade tree, ornamental shrub, plant, vine or vegetable,

Was read a third time and passed, as follows:

YEAS.

| | | | |
|---------------|-----------------|-------------|----|
| Mr. Atwood, | Mr. Lapham, | Mr. Pettit, | |
| Barclay, | Littlejohn, | N. Power, | |
| Beebe, | Lomison, | P. Power, | |
| Brown, | Lovell, | St. Aubin, | |
| Brownell, | Luce, | Stout, | |
| Charnbetlin, | McIntyre, | Sutherland, | |
| R. K. Divine, | Middleworth, | Tiffany, | |
| Duncan, | Miller, | Tompkins, | |
| DuPuy, | D. N. Montague, | Ward, | |
| Eddy, | H. Montague, | Wells, | |
| Gregory, | Moorman, | White, | |
| Hurd, | Mussey, | Whitmore, | |
| Judd, | Noble, | Williams, | |
| King, | Parker, | Speaker, | |
| Kirkland, | Parsons, | | 44 |

NAYS.

| | | | |
|-----------|-------------|-------------|---|
| Mr. Enos, | Mr. Gilman, | Mr. Strang, | |
| Ewell, | Reynolds, | | 5 |

With the consent of the House,

The Speaker announced the following:

COMMUNICATIONS FROM THE GOVERNOR.

EXECUTIVE OFFICE, }
Lansing, February 8, 1853. }

To the Speaker of the House of Representatives:

I have this day approved and filed in the office of the Secretary of State,

An act to amend an act entitled an act to incorporate the village of Romeo; also,

An act to supply the township school libraries of the State with the Michigan Journal of Education and Teachers' Magazine; also,

An act to take township six north, of range fifteen west, from the township of Ottawa, and annex the same to the township of Holland, in the county of Ottawa; also,

An act to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, A. D., one thousand eight hundred and fifty.

KINSLEY S. BINGHAM.

EXECUTIVE OFFICE,
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

I have this day approved and filed in the office of the Secretary of State,

An act to amend chapter fifty-eight, title eleven of the revised statutes of 1846, relative to the power of school districts to furnish fuel for schools; also,

An act for the maintenance and regulation of a bridge at Ives' dock, in the town of Springwells; also,

An act to amend an act entitled an act for the relief of James Watern, approved Feb. 5th, A. D., one thousand eight hundred and fifty-three; also,

An act to authorize the common council of the city of Detroit to refund certain taxes; also,

An act to organize the township of Mussey, in St. Clair county; also,

An act to repeal act number eighty-one of the session laws of eighteen hundred and fifty-three; also,

A joint resolution relative to an exchange of lots with the First Baptist Church and Society of Lansing; also,

An act to amend section six, chapter thirty-four, title six, of the revised statutes of 1846; also,

An act to incorporate the village of Lexington; also,

An act to incorporate the village of Jonesville; also,

An act to incorporate the village of Trenton; also,

An act to amend sections 14 and 15 of an act entitled an act to define the powers and duties of the Boards of Supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851.

An act to incorporate the village of Dundee; also,

A joint resolution relative to an exchange of lots with the First Presbyterian Society of Lansing; also,

An act to establish a House of Correction for juvenile offenders; also,

An act to provide for the laying out and establishing of a certain State road; also,

An act to provide for issuing a certain patent to John Blake, of Berrien county; also,

An act to amend section one of act number two hundred and fifty-two of the session laws of 1850; also,

An act relative to indictments.

K. S. BINGHAM.

Also, the following:

MESSAGES.

SENATE CHAMBER,
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House of Representatives,

A bill to amend chapter 93 of the revised statutes of 1846, entitled of Courts held by Justices of the Peace;

In which the Senate have concurred in by a majority vote of all the Senators elect, and ordered to take immediate effect by a vote of two-thirds of all said Senators.

Very respectfully,

L. W. WILDER,
Sec'y of Senate.

The message was laid on the table, and the bill ordered enrolled.

With unanimous consent, Mr. Littlejohn moved to take from the table,

A bill to provide for the alteration of the side lines of a certain street and highway in the village and township of Otsego, in the county of Allegan.

Which motion prevailed.

The bill was ordered to be read a third time, and the rule being suspended, the same was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Barclay,
Beebe,
Brown,
Cady,
Chapel,

Mr. Hurd,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,

Mr. Parsons,
Pettit,
N. Power,
P. Power,
Reynolds,
St. Aubin,

| | | |
|---------------|-----------------|-------------|
| J. Divine, | Lovell, | Stout, |
| R. K. Divine, | Luce, | Sutherland, |
| Duncan, | Miller, | Tiffany, |
| DuPuy, | Mills, | Tompkins, |
| Eddy, | D. N. Montague, | Ward, |
| Edwards, | H. Montague, | Wendell, |
| Ewell, | Moorman, | White, |
| Fitch, | Mussey, | Whitmore, |
| Gregory, | Noble, | Williams, |
| Hall, | Parker, | |

47

NAYS.

Mr. Enos,

Mr. Strang,

2

Mr. Fitch moved to take from the table,

A bill to amend the charter of the village of Lapeer, in Lapeer county.

Lost.

A bill to organize the township of Coe, in the county of Branch,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|-----------------|---------------|
| Mr. Atwood, | Mr. King, | Mr. N. Power, |
| Ashmun, | Kirkland, | P. Power, |
| Barclay, | Lomison, | St. Aubin, |
| Beebe, | Lovell, | Smith, |
| Brownell, | Luce, | Stout, |
| Cady, | Middlesworth, | Strang, |
| Chapel, | Miller, | Sutherland, |
| Duncan, | Mills, | Tiffany, |
| DuPuy, | D. N. Montague, | Tompkins, |
| Eddy, | H. Montague, | Ward, |
| Edwards, | Moorman, | Wells, |
| Enos, | Mussey, | Wendell, |
| Ewell, | Noble, | White, |
| Fitch, | Parker, | Whitmore, |
| Gilman, | Parsons, | Williams, |
| Ives, | Pettit, | Speaker, |

48

NAYS.

Mr. Brown,

Mr. Judd,

Mr. Littlejohn,

R. K. Divine,

Lapham,

5

Joint resolution relating to new certificates for Primary School Lands,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|-------------|---------------|--------------|
| Mr. Ashmun, | Mr. Kirkland, | Mr. Parsons, |
| Barclay, | Lapham, | Pettit, |
| Beebe, | Littlejohn, | N. Power, |

Beecher,
Brown,
Brownell,
Cady,
Church,
R. K. Divine,
Duncan,
DuPuy,
Edwards,
Enos,
Fitch,
Hall,

Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Noble,
Parker,

P. Power,
Smith,
Stout,
Tiffany,
Tompkins,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

44

NAYS.

Mr. Chamberlin,
Ewell,

Mr. St. Aubin,

Mr. Strang,

4

The resolution was ordered to take immediate effect.

A bill to organize the county of Aranac,

Was read a third time and lost, a majority not having voted for the same, as follows:

YEAS.

Mr. Barclay,
Cady,
Church,
Duncan,
Eddy,
Edwards,
Fitch,
Hall,

Mr. Ives,
King,
Littlejohn,
Lomison,
McIntyre,
Middlesworth,
Moorman,
Mussey,

Mr. Parsons,
Pettit,
N. Power,
P. Power,
Tiffany,
Tompkins,
Wells,
White,

24

NAYS.

Mr. Ashmun,
Brownell,
Chapel,
R. K. Divine,
DuPuy,
Enos,
Ewell,
Gilman,

Mr. Gregory,
Judd,
Lapham,
Lovell,
Luce,
Miller,
Mills,
D. N. Montague,

Mr. Noble,
Smith,
Strang,
Ward,
Wendell,
Whitmore,
Williams,
Speaker,

24

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives,

A bill to amend certain sections of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853,

A bill to authorize the formation of county and town Agricultural Societies,

In both of which the Senate have concurred by a majority vote of all the Senators elect, and by a vote of two-thirds ordered the last named to take immediate effect.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

SENATE CHAMBER,
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives,

A bill to provide for the sale of certain lands in the village of Jackson, belonging to the State,

Joint resolution instructing the Attorney General to institute legal proceedings in behalf of the State, respecting certain State building lands,

In which the Senate have concurred, by a majority vote of all the Senators elect, and by a vote of two-thirds of said Senators, ordered to take immediate effect.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The bills were severally ordered enrolled.

Joint resolution for the relief of the heirs of Beaumont Clark,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

| | | |
|---------------|-----------------|-------------|
| Mr. Beebe, | Mr. Ives, | Mr. Parker, |
| Beecher, | Judd, | Petit, |
| Brown, | Kirkland, | N. Power, |
| Brownell, | Lapham, | P. Power, |
| Church, | Littlejohn, | Reynolds, |
| R. K. Divine, | Luce, | Smith, |
| Duncan, | McIntyre, | Stout, |
| DuPuy, | Middlesworth, | Tiffany, |
| Eddy, | Miller, | Tompkins, |
| Edwards, | Mills, | Ward, |
| Enos, | D. N. Montague, | Wells, |
| Ewell, | H. Montague, | White, |
| Fitch, | Moorman, | Whitmore, |

Gilman,
Gregory,
Hall,

Mussey,
Noble,

Williams,
Speaker,

46

NAYS.

Mr. Atwood,
Cady,

Mr. Chapel,

Mr. Strang,

4

The resolution was ordered to take immediate effect.

A bill to authorize certain townships and cities to loan money on bonds of the township or city, for the construction of plank or gravel roads, bridges, and for other purposes,

Was read a third time and lost, a majority of all the members not having voted for the bill, as follows:

YEAS

Mr. Beebe,
Chapel,
Church,
R. K. Divine,
Duncan,
DuPuy,
Eddy,
Edwards,
Enos,
Gregory,
Hall,

Mr. Kirkland,
Lapham,
Littlejohn,
Lomison,
Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
Moorman,
Parker,

Mr. Pettit,
P. Power,
St. Aubin,
Shier,
Strang,
Ward,
Wells,
White,
Whitmore,
Williams,
Speaker,

33

NAYS.

Mr. Atwood,
Ashmun,
Brownell,
Cady,
Ewell,
Gilman,

Mr. King,
Lovell,
Miller,
H. Montague,
Mussey,

Mr. Noble,
Reynolds,
Smith,
Stout,
Tompkins,

17

On motion,

The House adjourned till Monday morning, at 8 o'clock.

Lansing, Monday, February 12, 1855.

House called to order at 8 o'clock.

Roll called; a quorum present.

With the unanimous consent of the House, an amendment was made to the bill to amend an act to incorporate the city of Adrian.

On motion of Mr. Stout,

The bill to amend certain sections of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, was ordered to take immediate effect.

On motion of Mr. Littlejohn,

The Journal of the 7th was corrected and approved.

Mr. Littlejohn was called to the Chair by the Speaker, and announced the following:

MESSAGES FROM THE OTHER HOUSE.

SENATE CHAMBER,
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House of Representatives, House bills,

1. A bill to amend an act entitled an act to provide for the incorporation of railroad companies.

2. Joint resolution in relation to the railway track of the Chippewa Portage Company.

3. A bill to amend an act entitled an act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846, approved April 8th, 1851.

4. A bill to provide for the disposal of the unexpended balance of the Grand Rapids Canal Lands.

5. Joint resolution authorizing the Secretary of State to issue patents for certain parcels of school lands to David Whitney.

6. A bill relative to the rights of married women.

7. A bill to amend sections 19 and 22 of chapter 172 of the revised statutes of 1846.

In all of which the Senate have concurred, the first by a vote of two-thirds of all the Senators elect, and all the rest by a majority vote of all the Senators elect; and all except the first and third, the Senate by a vote of two-thirds of said Senators, ordered to take immediate effect.

I also transmit Senate bills,

1. A bill to organize the town of Iron, in the county of Marquette.

2. Joint resolution authorizing the settlement of the claim of Morse K. Taylor, growing out of the raising, subsisting and mustering into service the Michigan volunteer regiment, for the war with Mexico.

Which the Senate have passed by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

The bill and joint resolution were read a first and second time.

The rules were suspended,

On motion of Mr. Stout,

And the resolution was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun
Barolay,
Beebe,
Brown,
Brownell,
Cady,
Chapel,
Chatfield,
Church,
R. K. Divine,
Dunakin,
Duncan,
DuPuy,
Eddy,
Edwards,
Ewell,
Gilman,
Hall,

Mr. Hixon,
Hurd,
Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,

Mr. Parker,
Parsons,
Pettit,
P. Power,
Reynolds,
Ross,
Sanborn,
St. Aubin,
Stout,
Strang,
Tiffany,
Ward,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

55

NAYS.

Mr. Noble,

Mr. Tompkins,

2

The resolution was ordered to take immediate effect.

A bill to organize the township of Iron, in the county of Marquette,

The rules being suspended,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Brown,
Brownell,

Mr. Ives,
Judd,
Kirkland,

Mr. Pettit,
N. Power,
P. Power,

Cady,
Chamberlin,
Chapel,
Chatfield,
R. K. Divine,
Dusakin,
DuPuy,
Eddy,
Edwards,
Ewell,
Fitch,
Gilman,
Gregory,
Hall,
Hixon,
Hurd,

Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
D. N. Montague,
H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Reynolds,
Rosa,
Sanborn,
St. Aubin,
Strang,
Tiffany,
Tompkins,
Ward,
Wells,
Wendell,
White,
Whitmore,
Wilbur,
Williams,
Speaker,

55

NAYS.

0

The bill was ordered to take immediate effect.

SENATE CHAMBER,

Lansing, February 10, 1855. }

To the Speaker of the House of Rep's:

I am instructed by the Senate, to transmit to you,

1. House joint resolution No. 11, for the relief of Oliver M. Hyde;
 2. House bill No. 82, to organize the township of North Star, in Gratiot county;
 3. House bill No. 90, to attach the counties of Isabella and Gladwin to Midland, for judicial and municipal purposes;
 4. House bill 104, appropriating certain internal improvement lands for opening and improving a road from Watrousville, in the county of Tuscola, to Lower Saginaw, in Saginaw county;
 5. House bill No. 92, to organize the township of Kimball, in St Clair county;
 6. House bill No. 83, to organize the township of Branch, in the county of St. Clair;
- Which the Senate have amended.
7. House bill No. 68, relating to burying grounds;
 8. House bill No. 40, making an appropriation to aid the Michigan State Agricultural Society;
 9. House joint resolution for the relief of Alexander R. Tiffany;
 10. House resolution for the relief of Robert Howlett;

11. House bill to provide for the election of County Auditors in the county of Wayne;

12. House joint resolution for the relief of George Matthews;

13. House bill to amend section 4 of an act to authorize the county of Saginaw to loan its bonds, to aid in the construction of a plank road approved February 14th, 1858;

14. House bill No. 60, to authorize the holding of a special election in Cheboygan;

15. House bill to prevent the issue and sale of fraudulent stocks by incorporated companies;

16. House bill to change the name of the township of Newaygo;

17. Also, House bill to apportion anew the Representatives among the several districts of this State.

In all which the Senate has concurred, as well as in the orders of the House to take immediate effect.

18. Senate bill to authorize the formation of corporations for the manufacture and transportation of lumber, and for other purposes;

19. Senate bill to provide for the construction of a railroad to Lake Superior;

20. Senate bill to amend an act entitled an act to incorporate the Saginaw and Genesee plank road company, approved March 8, 1850;

And which the Senate have passed by a majority vote of all the Senators elect, and ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

The several House bills were ordered enrolled, after concurring in the Senate amendment to the 6th named bill.

The Senate bill to provide for the construction of a railroad to Lake Superior, was read twice and referred to the committee on the Judiciary.

Senate bill to authorize the formation of corporations for the manufacture and transportation of lumber, and for other purposes;

Senate bill to amend an act entitled an act to incorporate the Saginaw and Genesee Plank Road Company, approved March 8, 1850;

Read twice and referred to the committee on the Judiciary.

Mr. Strang, from the committee on Indian Affairs, submitted a report,

Which was laid on the table and ordered printed.

Mr. Moorman, from the committee on Elections, submitted two reports,

Which were laid on the table and ordered printed.

The Speaker presented to the House the following communication, which was read and laid on the table:

To the Speaker of the House of Representatives of the State of Michigan:

HON. SIR—At a meeting of the Genesee Association of Congregational ministers and churches, recently held, the following resolutions were unanimously adopted:

Resolved, That we respectfully suggest to the Hon. Legislature now in session at Lansing, the propriety of passing a law for the protection of personal liberty, similar to the law lately passed by the Connecticut Legislature.

Resolved, That a copy of the above resolution be forwarded to the President of the Senate and Speaker of the House of Representatives of this State, by the Scribe of this Association.

I certify the above to be a true copy on record of said resolutions.

O. M. GOODALE,

Scribe of Genesee Association.

Owosso, Shiawassee County, Mich., Feb. 6, 1855.

Mr. Mussey, from select committee, submitted the following report:

The select committee to whom was referred Senate bill No. 64, beg leave to report the same back without recommendation, and ask to be discharged from the further consideration of the same.

The report was accepted, committee discharged, and the bill, being

A bill to provide for the draining of swamps, marshes and other low lands,

Was read a third time and lost, as follows:

YEAS.

Mr. Beebe,
Beecher,
Brown,
Cady,
Chatfield,

Mr. DuPuy,
Edwards,
Fitch,
Ives,
Judd,

Mr. Mussey,
Parker,
Pettit,
N. Power,
P. Power,

R. K. Divine,
Dunakin,
Duncan,

Lapham,
Moorman,

Wendell,
Speaker,

22

NAYS.

Mr. Atwood,
Ashmun,
Barclay,
Brownell,
Chamberlin,
Chapel,
J. Divine,
Eddy,
Ewell,
Gilman,
Gregory,
Hixon,
Hurd,

Mr. King,
Littlejohn,
Lomison,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Noble,
Parsons,
Reynolds,
Ross,
Sanborn,

Mr. St. Aubin,
Sherman,
Shier,
Smith,
Strang,
Sutherland,
Tompkins,
Ward,
Wells,
White,
Whitmore,
Williams,

38

On motion of Mr. Beecher,

Resolved, That Henry Barns, Clerk of this House, be and he is hereby authorized and requested to compile and prepare for publication, make indexes, and superintend the publication of the House journals and documents of the present Legislature, and when correctly done, as may be certified by the Secretary of State, the said Henry Barns will be entitled to receive for said services the sum of two hundred dollars.

Mr. Miller moved that the committee of the Whole be discharged from the further consideration of Senate bill No. 20.

Carried.

The rules were suspended, and the bill, being

A bill to oblige the owners and occupiers of mills, or other water works, to keep bridges over the races crossing public highways,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Beebe,
Beecher,
Brown,
Cady,
Chamberlin,
Dunakin,
Duncan,
DuPuy,

Mr. Ives,
Judd,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luce,
Middlesworth,
Miller,

Mr. Pettit,
N. Power,
P. Power,
Reynolds,
Ross,
Smith,
Sutherland,
Tiffany,
Tompkins,

Eddy,
Edwards,
Gilman,
Hixon,
Hurd,

Mills,
D. N. Montague,
Moorman,
Parker,

Ward,
Wells,
Wendell,
Speaker,

40

NAYS.

Mr. Atwood,
Brownell,
Chapel,
Church,
J. Divine,
R. K. Divine,
Ewell,
Fitch,

Mr. Gregory,
Hall,
King,
Kirkland,
McIntyre,
Noble,
Sanborn,
St. Aubin,

Mr. Sherman,
Shier,
Strang,
White,
Whitmore,
Wilbur,
Williams,

23

The bill was ordered to take immediate effect.

Mr. Beecher offered the following concurrent resolution, which was adopted:

Resolved, by the House, (the Senate concurring,) That the joint resolution fixing the day of final adjournment of the two Houses on Monday, the 12th inst., at twelve o'clock, noon, of that day, be and the same is hereby rescinded, and the following shall stand in stead thereof:

Resolved, That from and after twelve o'clock, noon, on Monday, the 13th day of February, inst., the two Houses will transact no further business, other than for the President of the Senate and Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journal of the proper Houses by the Secretary and Clerk, and that the day of final adjournment of the two Houses of this Legislature, shall be on the thirteenth day of February, inst., at 12 o'clock, noon, of that day.

A bill to organize the counties of Manistee, Mason and Oceana,

Was read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Aahmun,
Barclay,
Beebe,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,

Mr. Hall,
Hixon,
Hurd,
Ives,
Judd,
King,
Lapham,
Littlejohn,
Lomison,
Luce,

Mr. Mussey,
Noble,
Parker,
N. Power,
P. Power,
Ross,
Sanborn,
Sherman,
Shier,
Sutherland,

Dunakin,
Duncan,
DuPuy,
Edwards.
Ewell,
Fitch,
Gilman,
Gregory,

McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,

Tompkins,
Wells,
Wendell,
White,
Whitmore,
Williams,
Speaker,

52

NAYS.

0

The bill was ordered to take immediate effect.

Mr. Parker offered the following resolution :

Resolved, That inasmuch as it is the natural right of every inhabitant to petition the government under which he or she lives, to take such action on any and all subjects in which they may feel interested, as they shall deem proper, and that all petitions presented to this or any other Legislative body, couched in respectful language, is entitled to respectful treatment.

Resolved, That the to-day's report of the committee on Elections is, to certain petitioners, contemptuous in its tone, uncourteous and ungentlemanly in its language, and unworthy of the approbation of this House.

Which was laid on the table.

A bill to protect the rights and liberties of the inhabitants of this State,

The former vote upon which having been reconsidered,

Was read a third time and passed, as follows :

YEAS.

Mr. Beebe,
Beecher,
Brown,
Brownell.
Cady,
R. K. Divine,
Dunakin,
DuPuy,
Eddy,
Edwards.
Enos,
Gilman,
Gregory,
Hall,

Mr. Hurd,
Ives,
Judd,
King,
Lapham.
Lovell,
Luce,
Middlesworth.
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,

Mr. Musey,
Parker,
Pettit,
N. Power,
P. Power,
Stout,
Strang,
Tompkins,
Ward,
Wells,
Whitmore,
Williams,
Speaker,

40

Mr

of

Mr

Mr.

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NAYS.

Mr. Atwood,
Ashmun,
Barclay,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
Duncan,
Ewell,

Mr. Fitch,
Hixon,
Littlejohn,
Lomison,
McIntyre,
Noble,
Parsons,
Reynolds,
Ross,

Mr. Sanborn,
St. Aubin,
Sherman,
Shier,
Smith,
Sutherland,
Tiffany,
White,
Wilbur,

28

A bill to change the name of the Lake Superior Mining Company of Eagle River,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Beebe,
Beecher,
Brown,
Brownell,
Cady,
Chamberlin,
Chapel,
Duncan,
DuPuy,
Edwards,
Ewell,
Gilman,
Gregory,
Hall,
Hixon,

Mr. Hurd,
Ives,
Judd,
Kirkland,
Lapham,
Littlejohn,
Lomison,
Lovell,
Luca,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,

Mr. Musey,
P. Power,
Reynolds,
Ross,
St. Aubin,
Sherman,
Smith,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,
White,
Whitmore,
Williams,

48

NAYS.

Mr. R. K. Divine,

Mr. King,

Mr. Shier,

3

The vote by which a bill to authorize the business of banking was lost,

On motion of Mr. Church,

Was reconsidered, and the bill recommitted to the committee on Banks and Incorporations, with instruction to report forthwith.

Mr. McIntyre forthwith reported as follows:

The committee on Banks and Incorporations, to whom was recommitment the bill to authorize the business of banking, have, according to order, had the same under consideration, and instructed me to report the

same to the House, with an amendment striking out section —, which is the last section of the bill, and in manuscript, and recommend the passage of the bill, as amended, and the committee ask to be discharged from the subject.

The report was accepted, committee discharged, and the amendment concurred in, by the following vote:

YEAS.

Mr. Ashmun,
Barclay,
Beebe,
Beecher,
Brown,
Cady,
Chatfield,
Church,
Duncan,
Du Puy,
Eddy,
Edwards,
Ives,

Mr. Judd,
Lapham,
Lovell,
Luce,
McIntyre,
Middlesworth,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Parker,

Mr. Pettit,
N. Power,
P. Power,
Sanborn,
Shier,
Strang,
Tiffany,
Ward,
Wells,
Whitmore,
Williams,
Speaker,

37

NAYS.

Mr. Atwood,
Brownell,
Chapel,
J. Divine,
R. K. Divine,
Ewell,
Gilman,
Gregory,
Hall,
Hixon,

Mr. Hurd,
King,
Kirkland,
Littlejohn,
Lomison,
Mussey,
Noble,
Parsons,
Reynolds,

Mr. Ross,
St. Aubin,
Sherman,
Smith,
Stout,
Sutherland,
Tompkins,
Wendell,
White,

28

The question recurring upon the passage of the bill, the same was passed, as follows:

YEAS.

Mr. Beebe,
Brown,
Cady,
Chamberlin,
Chatfield,
Church,
Duncan,
DuPuy,
Eddy,
Gilman,

Mr. Judd,
Kirkland,
Lapham,
Lovell,
Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
H. Montague,

Mr. N. Power,
P. Power,
Sanborn,
Shier,
Tiffany,
Tompkins,
Ward,
Wells,
White,
Whitmore,

| | | | |
|----------------------------|--------------------------------|-----------------------|----|
| Gregory, Hall, Ives, | Moorman, Parker, Pettit, | Williams, Speaker, | 39 |
|----------------------------|--------------------------------|-----------------------|----|

NAYS.

| | | | |
|---|--|--|----|
| Mr. Atwood, Ashmun, Beecher, Brownell, Chapel, J. Divine, R. K. Divine, Edwards, Ewell, | Mr. Fitch, Hixon, Hurd, Littlejohn, Lomison, Miller, Mussey, Noble, Parsons, | Mr. Reynolds, Ross, St. Aubin, Sherman, Smith, Stout, Strang, Sutherland, Wendell, | 26 |
|---|--|--|----|

Joint resolution relative to amendments to the tax law,

Was introduced by Mr. Gregory, read a first and second time, and the rules being suspended, read a third time and passed, as follows:

YEAS.

| | | | |
|---|--|--|----|
| Mr. Atwood, Ashmun, Beebe, Beecher, Brown, Brownell, Cady, Chatfield, Church, Duncan, DuPuy, Eddy, Ewell, Fitch, Gilman, Gregory, Hall, | Mr. Hixon, Hurd, Ives, Judd, Kirkland, Lapham, Littlejohn, Lomison, Lovell, McIntyre, Middlesworth, Miller, Mills, D. N. Montague, H. Montague, Moorman, Mussey, | Mr. Noble, Parker, Parsons, Pettit, N. Power, P. Power, Ross, Sanborn, Shier, Stout, Sutherland, Tiffany, Tompkins, Wells, White, Williams, Speaker, | 51 |
|---|--|--|----|

NAYS.

| | |
|-------------|---|
| Mr. Chapel, | 1 |
|-------------|---|

The resolution was ordered to take immediate effect.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 10, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives, House bill to re-organize the county of Emmet,

Which the Senate have concurred in, with certain amendments, by a vote of two-thirds of all the Senators elect, and by a like vote have been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

The amendments were concurred in, by the following vote:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Ashmun, | Mr. Ives, | Mr. P. Power, |
| Brownell, | Judd, | Reynolds, |
| Cady, | Lapham, | Sanborn, |
| Chamberlin, | Littlejohn, | St. Aubin, |
| Chapel, | Lomison, | Shier, |
| J. Divine, | Luce, | Smith, |
| R. K. Divine, | Middlesworth, | Sutherland, |
| Dunakin, | Miller, | Ward, |
| Eddy, | Mills, | Wells, |
| Edwards, | D. N. Montague, | Wendell, |
| Enos, | Mussey, | White, |
| Ewell, | Parker, | Whitmore, |
| Gregory, | Pettit, | Williams, |
| Hall, | N. Power, | Speaker, |
| Hurd, | | |

43

NAYS.

| | | |
|-------------|-------------|--------------|
| Mr. Atwood, | Mr. Duncan, | Mr. Moorman, |
| Beebe, | Gilman, | Noble, |
| Beecher, | Hixon, | Strang, |

9

The bill, as amended, was then passed by the following vote:

YEAS.

| | | |
|---------------|-----------------|---------------|
| Mr. Barclay, | Mr. Hurd, | Mr. Reynolds, |
| Beebe, | Ives, | Rees, |
| Brownell, | Littlejohn, | Sanborn, |
| Cady, | Lomison, | St. Aubin, |
| Chapel, | Lovell, | Shier, |
| Chatfield, | McIntyre, | Smith, |
| Church, | Middlesworth, | Stout, |
| R. K. Divine, | Miller, | Sutherland, |
| Dunakin, | Mills, | Tiffany, |
| Duncan, | D. N. Montague, | Tompkins, |
| Eddy, | Mussey, | Ward, |
| Edwards, | Parker, | Wells, |
| Enos, | Pettit, | Wendell, |
| Ewell, | N. Power, | Whitmore, |
| Gregory, | P. Power, | Williams, |
| Hall, | | |

46

NAYS.

| | | | |
|--------------|-----------|-------------|---|
| Mr. Beecher, | Mr. Luce, | Mr. Strang, | |
| Fitch, | Moorman, | White, | |
| Hixon, | Noble, | | 8 |

The bill was ordered to take immediate effect.

Joint resolution instructing the Board of State Auditors to cancel the excess of interest account of Mackinac county,

Was taken from the table, read a third time and passed, as follows:

YEAS.

| | | | |
|-------------|-----------------|--------------|----|
| Mr. Atwood, | Mr. Hurd, | Mr. Parsons, | |
| Ashmun, | Ives, | Pettit, | |
| Beebe, | Judd, | N. Power, | |
| Brown, | Lapham, | Reynolds, | |
| Brownell, | Littlejohn, | Rosa, | |
| Chamberlin, | Lomison, | St. Aubin, | |
| Chapel, | Lovell, | Stout, | |
| Chatfield, | Luce, | Sutherland, | |
| J. Divine, | Middlesworth, | Tompkins, | |
| Duncan, | Mills, | Wells, | |
| DuPuy, | D. N. Montague, | Wendell, | |
| Edwards, | H. Montague, | White, | |
| Ewell, | Moorman, | Williams, | |
| Gilman, | Noble, | Speaker, | |
| Hixon, | Parker, | | 44 |

NAYS.

| | | | |
|-----------|-----------|-------------|---|
| Mr. Eddy, | Mr. King, | Mr. Strang, | 3 |
|-----------|-----------|-------------|---|

The Speaker announced the following messages from the Senate:

SENATE CHAMBER,
Lansing, February 12, 1855. }

To the Speaker of the House of Representatives :

SIR—I am instructed herewith to return,

A bill to organize the counties of Manistee, Mason and Oceana.

Which the Senate have passed by a vote of a majority of all the Senators elect, and by a vote of two-thirds of all the Senators elect, have ordered the same to take immediate effect; also,

A bill to change the name of the Lake Superior Mining Company, of Eagle River;

Which the Senate have passed by a vote of a majority of all the Senators elect.

Very respectfully,

I. W. WILDER,

Sec'y of Senate.

SENATE CHAMBER, }
Lansing, February 12, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed herewith to transmit,

Joint resolution for the relief of the heirs of Beaumont Clark,

Which the Senate have passed, and by a vote of two-thirds of all the Senators elect have ordered the same to take immediate effect, in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

I. W. WILDER,

Secretary of the Senate.

SENATE CHAMBER, }
Lansing, February 12, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed to transmit herewith,

1. A bill to organize the town of Springbrook, in Gratiot county;
2. House bill No. 89,

A bill to prevent the wrongful taking, detaching from the ground, or injuring any fruit tree, shade tree, ornamental shrub, plant, vine or vegetable,

Both having passed by a majority of all the Senators elect. The first named bill was ordered to take immediate effect, and the concurrence of the House of Representatives is respectfully asked.

Very respectfully,

I. W. WILDER,

Secretary of Senate.

The several House bills and resolutions were ordered to be enrolled, and the bill to organize the town of Springbrook ordered to take immediate effect.

Also, the following:

SENATE CHAMBER, }
Lansing, February 12, 1855. }

To the Speaker of the House of Representatives:

SIR—I herewith transmit the accompanying resolution, in which the Senate have concurred by a majority of two-thirds of all the Senators elect.

Very respectfully,

I. W. WILDER,

Sec'y Senate.

Mr. White submitted the following report:

The committee on Towns and Counties, to whom was referred a Senate bill to organize the county of Aranac, with certain instructions, beg leave to report the same back to the House, agreeably to instructions, and ask the concurrence of the House therein, and recommend that the bill so amended do pass, and the committee be discharged, &c.

Report accepted, committee discharged, amendments concurred in, and the bill passed, by yeas and nays, as follows:

YEAS.

| | | |
|--------------|-----------------|--------------|
| Mr. Barclay, | Mr. Hall, | Mr. Parsons, |
| Beecher, | Hixon, | Pettit, |
| Cady, | Hurd, | N. Power, |
| Chatfield, | Ives, | P. Power, |
| Oburch, | Judd, | Ross, |
| J. Divine, | Littlejohn, | Sanborn, |
| Dunakin, | Lomison, | Sutherland, |
| Duncan, | Luce, | Ward, |
| DuPuy, | McIntyre, | Wells, |
| Eddy, | Middlesworth, | White, |
| Edwards, | D. N. Montague, | Williams, |
| Ewell, | Moorman, | Speaker, |
| Fitch, | Mussey, | |

88

NAYS.

| | | |
|---------------|---------------|------------|
| Mr. Atwood, | Mr. Kirkland, | Mr. Shier, |
| Ashmun, | Lapham, | Smith, |
| Beebe, | Lovell, | Stout, |
| Brownell, | Miller, | Strang, |
| Chapel, | Mills, | Tiffany, |
| R. K. Divine, | Noble, | Tompkins, |
| Gilman, | Parker, | Wendell, |
| Gregory, | Reynolds, | Wilbur, |
| King, | St. Aubin, | |

26

Mr. Ashmun moved to amend the title so as to read as follows:

A bill to provide for the dismemberment of Midland and Saginaw counties.

Lost.

The Chair announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 12, 1855. }

To the Speaker of the House of Rep's:

SIR—I am instructed to transmit the following:

A joint resolution instructing the Board of State Auditors to cancel the excess of interest account of Mackinac county;

In which the Senate have concurred; also,
 Joint resolution relative to amendments to the tax law,
 In which the Senate have concurred, and ordered to take immediate effect.

Very respectfully,

L. W. WILDER,
Sec'y of Senate.

Joint resolution ordered enrolled.

Mr. Church submitted the following:

The committee of Conference, appointed to act with a like committee of the Senate upon the difference between the House and the Senate, relative to the House amendment to the bill to amend section 57 of chapter 90 of the revised statutes of 1846, have instructed me to report that they recommend the House to recede from the said amendment, and ask to be discharged, &c.

Report accepted, committee discharged, the House amendment receded from, and the bill passed, as follows:

YEAS.

| | | | |
|--------------|-----------------|---------------|----|
| Mr. Barclay, | Mr. King, | Mr. P. Power, | |
| Beebe, | Kirkland, | Reynolds, | |
| Brownell, | Littlejohn, | Ross, | |
| Chatfield, | Lomison, | Sanborn, | |
| Church, | Luce, | St. Aubin, | |
| Duncan, | McIntyre, | Sherman, | |
| DuPuy, | Miller, | Sutherland, | |
| Eddy, | Mills, | Tiffany, | |
| Enos, | D. N. Montague, | Tompkins, | |
| Ewell, | H. Montague, | Ward, | |
| Gilman, | Moorman, | Wells, | |
| Gregory, | Mussey, | Wendell, | |
| Hall, | Noble, | White, | |
| Hixon, | Parker, | Whitmore, | |
| Hurd, | Parsons, | Williams, | |
| Ives, | Pettit, | Speaker, | 50 |
| Judd, | N. Power, | | 0 |

NAYS.

The further consideration of

A bill to provide for the construction of a railroad to Lake Superior,
 Was postponed until the fourth of July next.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 12, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Senate have non-concurred in the House amendment to,

A bill to organize the county of Aranac.

Very respectfully,

I. W. WILDER,
Sec'y Senate.

The House adhered to its amendment.

Also, the following:

SENATE CHAMBER,
Lansing, February 12, 1855. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit,

A bill to amend the charter of the Genesee and Oakland Railroad Company,

Which has passed the Senate, and ordered to take immediate effect, and the concurrence of the House is respectfully asked.

Very respectfully,

I. W. WILDER,
Sec'y of Senate.

The bill was read a first and second time, and the rules being suspended, read a third time and passed, as follows:

YEAS.

Mr. Atwood,
Ashmun,
Barclay,
Beebe,
Cady,
Chamberlin,
Chapel,
Chatfield,
Church,
J. Divine,
R. K. Divine,
Dunakin,
Duncan,
Edwards,
Enos,
Ewell,

Mr. Gregory,
Hall,
Hixon,
Hurd,
Ives,
Lapham,
Littlejohn,
Lovell,
Luce,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Mussey,

Mr. Parsons,
Pettit,
N. Power,
P. Power,
Reynolds,
Ross,
St. Aubin,
Sherman,
Smith,
Stout,
Strang,
Sutherland,
Tiffany,
Tompkins,
Wells,
Wendell,

Fitch,
Gilman,

Noble,
Parker,

Speaker,

53

NAYS.

Mr. Beecher,
Brown,
Brownell,
DuPuy,
Eddy,

Mr. Judd,
King,
Kirkland,
Lomison,
Miller,

Mr. Sanborn,
Shier,
Ward,
Whitmore,
Williams,

15

Two-thirds of the members elect having voted for the bill.

The Judiciary committee reported back Senate bill, being,

A bill to define the manner in which the homestead may be selected and designated.

Which was laid on the table.

A bill to authorize the formation of corporations for the manufacture and transportation of lumber, and for other purposes,

Was read a third time and lost, by yeas and nays, as follows:

YEAS.

Mr. Atwood,
Barclay,
Chamberlin,
Church,
R. K. Divine,
Duncan,

Mr. DuPuy,
Fitch,
Lapham,
Littlejohn,
Luce,
Noble,

Mr. N. Power,
Sanborn,
Strang,
Wells,
White,
Speaker,

18

NAYS.

Mr. Ashmun,
Beecher,
Brown,
Brownell,
Chapel,
Chatfield,
Eddy,
Enos,
Ewell,
Gilman,
Hall,
Hixon,
Ives,

Mr. Judd,
King,
Kirkland,
Lomison,
Lovell,
Miller,
Mills,
D. N. Montague,
H. Montague,
Moorman,
Pettit,
P. Power,
Parsons,

Mr. Reynolds,
St. Aubin,
Sherman,
Shier,
Smith,
Stout,
Sutherland,
Tompkins,
Ward,
Wendell,
Whitmore,
Wilbur,
Williams,

39

A bill to amend an act entitled an act to incorporate the Saginaw and Genesee Plank Road Company, approved March 8th, 1850,

Was referred to the committee on Banks and Incorporations.

On motion of Mr. Fitch, it was

Resolved, That the thanks of this House be and the same are hereby tendered to the Hon. Cyrus Lovell, for the able and impartial manner in which he has presided over the deliberations of this body.

The Speaker announced the following communication from the Executive:

EXECUTIVE OFFICE,
Lansing, February 12, 1855. }

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State,

An act to amend section 4 of an act to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road, approved February 14, 1853; also,

An act to authorize the formation of county and town Agricultural Societies; also,

An act to provide for the election of County Auditors in the county of Wayne; also,

An act to organize the township of North Star, in Gratiot county;

An act to amend an act entitled an act to provide for the incorporation of Railroad Companies; also,

Joint resolution for the relief of George Matthews; also,

An act to provide for the sale of certain land in the village of Jackson, belonging to the State; also,

An act to amend certain sections of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853; also,

Joint resolution for the relief of Oliver M. Hyde; also,

An act to amend sections 19 and 22 of chapter 172 of the revised statutes of 1846; also,

Joint resolution authorizing the commissioners of the St. Mary's Falls Ship Canal to locate the track of the Chippewa Portage Company;

An act to prevent the issue and sale of fraudulent stock of incorporated companies; also,

Joint resolution for the relief of Alexander R. Tiffany, of the county of Lenawee; also,

Joint resolution for the relief of Robert Howlett; also,

An act to apportion anew the Representatives among the several counties and districts of this State; also,

Joint resolution authorizing the Secretary of State to issue patents for certain parcels of school lands to David Whitney; also,

Joint resolution authorizing the settlement of the claim of Morse K. Taylor, growing out of the raising, subsisting, and mustering into service, the Michigan volunteer regiment, for the war with Mexico; also,

An act to organize the county of Manistee; also,

An act to organize the township of Greenwood, in the county of St. Clair; also,

An act to amend an act entitled an act to incorporate the city of Adrian, approved January 31st, 1853, and an act entitled an act to amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31, 1853, approved February 10, 1853; also,

An act to authorize the holding of a special election in Cheboygan; also,

An act to amend an act entitled an act relative to plank roads, approved March 13, 1848, and an act amendatory thereto, approved Feb. 9, 1853, and to add two new sections thereto; also,

An act to provide for the disposal of the unexpended balance of the Grand Rapids Canal lands; also,

An act to amend an act entitled an act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846, approved April 8, 1851; also,

An act to change the name of the township of Newaygo; also,

An act to attach the counties of Isabella and Gladwin to the county of Midland, for judicial and municipal purposes; also,

An act relative to the rights of married women; also,

An act to organize the township of Kimball, in St. Clair county; also,

An act making an appropriation to aid the Michigan State Agricultural Society; also,

An act relating to burying grounds; also,

An act to organize the township of Goodland, in the county of Lapeer.

KINSLEY S. BINGHAM.

On motion of Mr. Beecher, it was

Resolved, That the thanks of this House be and they are hereby tendered to the Clerk and officers of this House, for the able and impartial manner in which they have discharged their respective duties.

A bill to provide for the location of the seat of justice of the county of Isabella,

Was read a third time and passed, by yeas and as nays, follows:

YEAS.

Mr. Atwood,
Barclay,
Beebe,
Beecher,
Brown,
Brownell,
Chamberlin,
Chatfield,
Church,
• R. K. Divine,
Dunakin,
Duncan,
Edwards,
Enos,
Fitch,

Mr. Gilman,
Gregory,
Hixon,
Hurd,
Ives,
Judd,
King,
Lapham,
Lomison,
Luce,
McIntyre,
Mills,
D. N. Montague,
H. Montague,
Moorman,

Mr. Parker,
Pettit,
N. Power,
St. Aubin,
Sherman,
Strang,
Sutherland,
Tiffany,
Tompkins,
Ward,
Wells,
White,
Wilbur,
Williams,

44

NAYS.

Mr. Ewell,
Hall,
Littlejohn,

Mr. Mussey,
Noble,
P. Power,

Mr. Reynolds,
Shier,

8

The bill was ordered to take immediate effect.

A bill to amend an act entitled an act to incorporate the Plymouth and Dearborn Plank Road Company,

Was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ashmun,
Barclay,
Beecher,
Brown,
Brownell,
Chapel,
Chatfield,
Church,
R. K. Divine,
Dunakin,
Duncan,

Mr. Hurd,
Ives,
Judd,
Lapham,
Littlejohn,
Lomison,
Lovell,
McIntyre,
Middlesworth,
Mills,
D. N. Montague,

Mr. Pettit,
N. Power,
P. Power,
Ross,
St. Aubin,
Sherman,
Shier,
Strang,
Sutherland,
Tompkins,
Ward,

DuPuy,
Eddy,
Enos,
Fitch,
Gregory,
Hall,
Hixon,

H. Montague,
Moorman,
Mussey,
Noble,
Parker,
Parsons,

Wells,
Wendell,
White,
Wilbur,
Williams,
Speaker,

58

NAYS.

Mr. Cady,

1

The bill was ordered to take immediate effect.

The committee on Engrossment and Enrollment, report as correctly enrolled, signed, and presented this day to the Governor for approval, Joint resolution for the relief of Oliver M. Hyde.

An act to amend sections nineteen and twenty-two of chapter 122 of the revised statutes of 1846.

An act to amend certain sections of an act to provide for assessing property at its true value, and for levying and collecting taxes thereon approved February 14, 1853.

An act to provide for the sale of certain lands in the village of Jackson, belonging to the State.

Joint resolution for the relief of George Matthews.

An act to amend an act entitled an act to provide for the incorporation of railroad companies.

An act to organize the township of North Star, in Gratiot county.

An act to provide for the election of county auditors in the county of Wayne.

An act to authorize the formation of county and town Agricultural Societies.

An act to prevent the issue and sale of fraudulent stocks by incorporated companies.

An act to amend section four of an act to authorize the county of Saginaw to loan its bonds to aid in the construction of a plank road, approved February 14, 1853.

Joint resolution authorizing the commissioner of the St. Mary's Falls Ship Canal to locate the track of the Chippewa Portage Company.

An act relating to burying grounds.

An act to attach the counties of Isabella and Gladwin to the county of Midland for judicial and municipal purposes.

An act to organize the township of Kimball, in St. Clair county.

An act to change the name of the township of Newaygo.

An act to authorize the holding of a special election in Cheboygan county.

An act to organize the township of Greenwood, in the county of St. Clair.

An act making an appropriation to aid the Michigan State Agricultural Society.

An act appropriation certain internal improvement lands for opening and improving a road from Watrousville, in the county of Tuscola, to Lower Saginaw, in Saginaw county.

An act to apportion anew the representatives among the several counties and districts of this State.

An act relative to the rights of married women.

An act to amend an act entitled an act relative to plank roads, approved March 13, 1848, and an act amendatory thereto, approved Feb. 8, 1853, and to add two new sections thereto.

Joint resolution for the relief of Robert Howlett.

Joint resolution authorizing the Secretary of State to issue Patents for certain parcels of School Lands to David Whitney.

An act to amend an act entitled an act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846, approved April 8, 1851.

Joint resolution for the relief of Alexander R. Tiffany, of the county of Lenawee.

An act to amend an act entitled an act to incorporate the city of Adrian, approved January 31, 1853, and an act entitled an act to amend section 32 of an act entitled an act to incorporate the city of Adrian, approved January 31, 1853, approved February 10, 1853.

Joint resolution authorizing the settlement of the claim of Morse K. Taylor, growing out of the raising, subsisting, and mustering into service the Michigan volunteer regiment for the war with Mexico.

An act to organize the county of Manistee.

An act to amend the laws incorporating the city of Detroit, and the several acts amendatory thereto.

Joint resolution instructing the Attorney General to institute legal proceedings in behalf of the State, respecting certain State Building lands.

Joint resolution relative to a claim of the State of Michigan against Chippewa county for State tax.

An act to change the name of the First Presbyterian Society in the township of Grass Lake, county of Jackson, and State of Michigan.

An act to prohibit the use of common jails and other public buildings in the several counties, for the detention of persons claimed as fugitive slaves.

Mr. McIntyre submitted the following report:

The committee on Banks and Incorporations, to whom was referred the bill entitled an act to amend an act entitled an act to incorporate the Saginaw and Genesee Plank Road Company, approved March 8th, 1850, have, according to order, had the same under consideration, and instructed me to report the same to the House, without amendment and without recommendation, but with the suggestion that there is some reason to believe that the notice of the application for this act, required by the constitution and laws of this State, has not been published, or the evidence thereof furnished to the Legislature. No such evidence having been furnished to your committee, your committee ask to be discharged from the further consideration of the subject.

On motion,

The House adjourned.

Lansing, Tuesday, February 13, 1855.

The Speaker called the House to order at 9 o'clock.

Roll called; the following members answered to their names:

Messrs. Church, Duncan, Gregory, Stout, White, Wendell, Wilbur, and Speaker.

The Speaker called Mr. Church to the chair.

Mr. Stout, from the committee on Enrollment, made the following report:

The committee on Engrossment and Enrollment, report as correctly enrolled, signed, and this day presented to the Governor for approval.

An act to organize the counties of Manistee, Mason and Oceana.

An act to amend chapter 93 of the revised statutes of 1846, entitled "of courts held by justices of the peace."

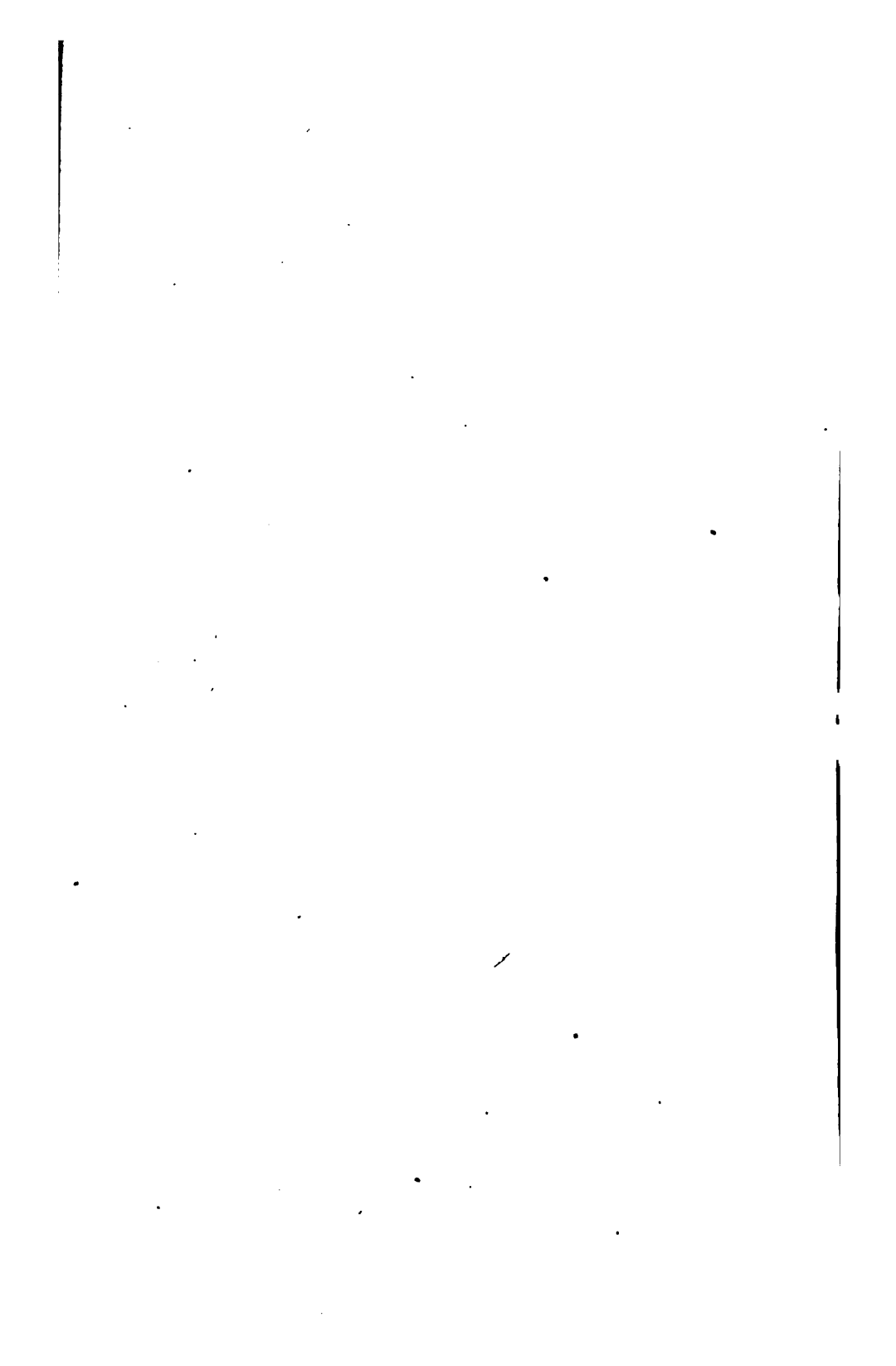
An act to change the name of the Lake Superior Mining Company.

An act to re-organize the county of Emmet.

And that all other bills referred to said committee for enrollment, had been correctly enrolled, and presented to the Governor for approval.

No other business being before the House, and the hour of 12 o'clock, M., having arrived,

The Speaker *pro tem.* declared the House adjourned *sine die.*



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